

**TOWN OF GILBERT
PLANNING COMMISSION STUDY SESSION
COUNCIL CHAMBERS
50 E. CIVIC CENTER DRIVE
GILBERT, AZ
MAY 2, 2018**

COMMISSION PRESENT: Chairman Kristofer Sippel
Vice Chairman Brian Andersen
Commissioner Carl Bloomfield
Commissioner David Cavenee
Commissioner Greg Froehlich
Commissioner Brian Johns
Commissioner Joshua Oehler (arrived on dais at 5:07 p.m.)

COMMISSION ABSENT: Alternate Commissioner Seth Banda
Alternate Commissioner Daniel Cifuentes

STAFF PRESENT: Stephanie Bubenheim, Planner II
Ashlee MacDonald, Senior Planner
Keith Newman, Planner II
Josh Rogers, Planner II
Amy Temes, Senior Planner
Nathan Williams, Senior Planner
Principal Planner Catherine Lorbeer
Planning Manager Linda Edwards

ALSO PRESENT: Attorney Nancy Davidson
Council Liaison Brigitte Peterson
Recorder Debbie Frazey

CALL TO ORDER

Chairman Kristofer Sippel called the May 2, 2018 Study Session of the Planning Commission to order at 5:02 p.m.

1. UPDATE ON REGIONAL PARK

Rick Hooker, CIP Project Manager with the Town of Gilbert provided an update on the phasing plan for the Gilbert Regional Park. He also provided an update on the Rittenhouse District Park.

Question: Chairman Sippel asked if the Rittenhouse District Park would have more fields than Discovery Park.

Answer: Rick Hooker answered affirmatively. He said it would have 16 fields at build-out.

Question: Chairman Sippel asked how many fields Discovery Park had.

Answer: Rick Hooker said he did not have that information.

Question: Chairman Sippel asked if there was any timeline for the park.

Answer: Rick Hooker said that both parks would be breaking ground in September and they hoped to open up both parks the following September.

2. **ST17-1014, COPPER BEND (FORMERLY HIGHLAND VISTAS): FOUR (4) NEW SINGLE STORY STANDARD PLANS (5541, 6011, 6002 AND 6003) BY MARACAY HOMES, LLC FOR 38 LOTS ON APPROXIMATELY 19.4 ACRES, GENERALLY LOCATED AT THE NORTHWEST CORNER OF 172ND STREET AND HUNT HIGHWAY AND ZONED SINGLE FAMILY-10 (SF-10) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.**

Keith Newman began his presentation on ST17-1014, Copper Bend. He said that the request was for four new single story plans on 38 lots. He said the total subdivision size was 19.4 acres and the project was located at the northwest corner of 172nd Street and Hunt Highway. He stated that the site is zoned Single Family – 10 (SF-10). He requested input from the Commission on the elevations. He said that Copper Bend was previously called Highland Vistas and the project had gone through a name change. He shared the Development Standards for the project. He said the lots were approximately 10,000 square feet and 80' x 110' in size. He said all the lots were single story. Planner Newman shared the four standard plans. He said that each plan would have an A, B and a C elevation. He said there would be three architectural styles: Spanish, Rural Mediterranean and Desert Prairie. He said the homes would range in size from 2,963 to 3,450 square feet. He said they will have 2, 3 and 4 car garages, as well as 12 different color schemes. He shared the front, left, right and rear building elevations. He pointed out that Staff had tried to make sure that the rear elevations weren't the same and included different elements on them. He then discussed the colors and materials. Planner Newman finished his presentation.

Chair Sippel thanked Planner Newman and called for questions or comments.

At this point, Commissioner Greg Froehlich and Carl Bloomfield both declared a Conflict of Interest.

Comment: David Cavenee said that he liked the color schemes. He said he thought the earth tones were well done and thought they would differentiate the different styles. He said he didn't think it was a problem, but the one elevation that seemed curious to him was the Desert Prairie elevation. He said he thought it had a real high brick pattern for not going all the way to the soffit, but he said that although it is different, he didn't necessarily have a problem with the design. He said he liked the way in which the applicant had accented the back elevations. He said he thinks the project is well done, the roof lines vary enough, the color palette is good and the architecture differs enough, especially considering that it is a small development. He said they have a lot of different options for a 38 lot project.

Planner Newman let the Commission know that Staff would probably not be bringing this project back before the Commission, but it would most likely be approved administratively.

3. GP17-1018, HAMPTON COURT: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROXIMATELY 6.95 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NORTH OF THE NORTHEAST CORNER OF RAY ROAD AND VAL VISTA DRIVE FROM RESIDENTIAL > 0-1 LAND USE CLASSIFICATION TO RESIDENTIAL > 5-8 LAND USE CLASSIFICATION.

Z17-1029, HAMPTON COURT: REQUEST TO REZONE APPROXIMATELY 6.95 ACRES OF REAL PROPERTY, GENERALLY LOCATED AT THE NORTH OF THE NORTHEAST CORNER OF RAY ROAD AND VAL VISTA DRIVE FROM APPROXIMATELY 6.95 ACRES OF MARICOPA COUNTY RURAL 43 (RU-43) ZONING DISTRICT TO APPROXIMATELY 6.95 ACRES OF TOWN OF GILBERT SINGLE FAMILY ATTACHED (SF-A) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY ZONING DISTRICT.

Ashlee MacDonald began her presentation on GP17-1018 and Z17-1029, Hampton Court. She said that this case was for a General Plan Amendment, as well as a Rezoning with a PAD. She said that at this stage in the process, this case was not something the Planning Commission would normally see, but Staff believes that this was a unique enough product that they wanted to make sure they receive early feedback from the Commission. She shared the site location at the northeast corner of Val Vista Road and Ray Road. She said it is just north of the SRP site. She said the eastern canal borders the property on the eastern side. She said the site is currently under the jurisdiction of Maricopa County. She said the Town is also annexing the subject site in conjunction with this General Plan Amendment and Rezoning, as well as the SRP station to the south. She said the site is 6.9 acres in size. She said the General Plan Amendment request is to

go from Residential > 0-1 DU/Acre to Residential > 8-14 DU/Acre. She said that in the Staff Report, Staff had addressed going from Residential > 5-8 DU/Acre, as well as Single Family Attached (SF-A) and how that might change to Multi Family – Low (MF-L). She said that they had recently made progress with the applicant in determining the most appropriate zoning district. She pointed out that her presentation at tonight’s meeting would differ from what was presented in the Staff Report.

Planner MacDonald said that the Rezoning portion of the request was for a rezoning from Maricopa County Rural 43 (RU-43) to Multi-Family Low (MF-L) with a Planned Area Development (PAD). She said that one of the issues that they had been working through, due to the unique nature of the product type, was what zoning district was most appropriate for the applicant. She said the proposed project was for a Multi Family product, so it wouldn’t be platted on individual lots, but the project density didn’t meet the requirements for Multi Family – Low (MF-L), so Staff has been working with the applicant to increase density. She believes they have achieved the 8 DU/Acre, so they have bumped up the request for the General Plan Amendment to Single Family > 8 – 14 DU/Acre. She said this means that they now meet the requirements of the Multi-Family – Low (MF-L), which she believes is a better fit for the product. She shared the Development Plan, noting that they are proposing access off of Val Vista Road and one long street with a cul-de-sac at the end. She shared that they would be able to park two vehicles in the driveway. She pointed out that one of the things that makes this product unique is that it functions more as a single family, because each unit will have its own backyard. She said they will be attached to the unit adjacent to the garage. She said that Staff has been working with the applicant so that they could fit within that Multi Family – Low (MF-L) zoning designation. She said that they are proposing that the four units on the eastern side of the property be studio or 1-bedroom units. This would result in them having eight units instead of four units in that area, and would enable them to get to the density required for Multi Family – Low (MF-L). She said they would still be able to meet their parking requirements with the change. She said that the area in question would have an increased density from the remainder of the site, but because of the location adjacent to the community Open Space, the project would still feel like a single family community.

Planner MacDonald discussed the deviation requests (listed below):

Project Data Table

Site Development Regulations	Required per MF-L	Proposed Hampton Court MF-L
Maximum Building Height (ft/stories)	36	24
Minimum Building Setbacks		
Front to ROW	25	50
Side	25	8

	Rear	20	25
Landscape Setbacks			
	Front	20	50
	Side	20	8
Private Open Space		60 sf	1100 sf
Minimum Dimension (ft)		6	5
Common Open Space		45%	19%
Open Space Amenities		Pool – 600 sf Children’s Play Area – 400 sf	none 1100 sf

Planner MacDonald noted that each unit is proposed to have its own backyard, so the Private Open Space would be significantly larger than it would have been. She said that due to the increase in Private Open Space, they are requesting a fairly significant deviation on the common Open Space from 45% down to 19%. She said they are requesting that the requirement to provide a pool for the facility be removed. She said the product would look like a cottage-themed development. She said the garages would be recessed, so that along the frontage of the property, there would be an open feel. She finished her presentation and asked for input from the Commission.

Question: Brian Johns asked if the subject site went all the way to Ray Road.

Answer: Planner MacDonald said that the subject site did not go all the way to Ray Road, but pointed out the location of the SRP site.

Comment: Brian Johns said he didn’t have any issue with the deviations, but wanted to confirm if Staff supported the Open Space request to go from 45% to 19%. He said that seemed like a large deviation.

Response: Ashlee MacDonald acknowledged that this was a pretty significant deviation. She said she was open to the Commission’s feedback. She said that the fact that the applicant is providing backyards somewhat balances the concerns.

Question: Brian Johns asked to see the Landscape Plan. He said he thought they had landscaped the main drive rather well, but he said he thought the landscape along the alleyways seemed rather thin. He suggested adding something more to break it up. He asked for clarification as to which was the front entry.

Answer: Ashlee MacDonald pointed out where someone would drive to get to the garage, noting that was also the location of the front porch.

Comment: Brian Johns said it appeared to be a unique product. He said as long as they could meet the fire requirements, he didn’t have any issues with the project.

Question: David Cavenee said that he had noticed that they were originally striving for Single Family – 8 (SF-8), but asked if Staff had guided the applicant towards the Multi Family – Low (MF-L). He asked how that came about and what the applicant would gain from that change.

Answer: Ashlee MacDonald said that it had been a bit of a back and forth process. She said that the applicant's original application was Multi Family – Low (MF-L), but they had switched to Single Family – 8 (SF-8), but were now back to MF-L. She said the description of the MF-L zoning district requires a density of 8-14 DU/acre. She said the applicant's original submittal had a density of approximately 7.5 DU/Acre which meant they didn't meet MF-L standards. She said that wasn't something that could be deviated through a PAD. She said that could have left Single Family – Attached (SF-A) as an option, but SF-A has to be platted on individual lots. She said that left them in a situation, that unless they brought their density up, they couldn't achieve the product they were hoping for.

Question: David Cavenee said they don't normally see a request to add density to a project. He asked for clarification if there was a 50' front yard setback.

Answer: Ashlee MacDonald said that was the perimeter setback. She said this project would come in as a Design Review for a Multi Family project.

Question: David Cavenee asked to clarify that there was an SRP site to the south.

Answer: Ashlee MacDonald answered affirmatively.

Question: David Cavenee asked if the south portion would never be developed.

Answer: Ashlee MacDonald said that as far as she knows, it will not be.

Question: David Cavenee said that if these were treated like Single Family homes, he wondered how the trash receptacles would be handled. He asked if each unit would roll their can out to the curb or if there would be a trash enclosure of some kind.

Answer: Ashlee MacDonald said that would be part of the Design Review package. She said they will have on-street parking and trash receptacles that would be rolled out to that street. She said the Commission would see this as part of the Design Review.

Question: Greg Froehlich asked about the on-street parking. He asked in what locations they would allow the on-street parking. He asked if it would be allowed on the main road or on some of the connecting roads as well.

Answer: Ashlee MacDonald said that they have proposed on-street parking on both sides of the main road. She said there is also a garage space and the driveway would allow for two tandem vehicles to park in the driveway.

Question: Greg Froehlich asked if that meant that there would be no parking on the connecting roads.

Answer: Ashlee MacDonald answered affirmatively.

Question: Joshua Oehler asked what was driving this kind of density. He said this is a long property. He said he appreciates the applicant trying to maximize the use, but he said he feels they are really jamming in a lot of units into the site. He asked how that would look when they have trash days and have to roll out trash receptacles. He said he also thought that the on-street parking could also be problematic given the number of units.

Answer: Ashlee MacDonald said that they will be looking at this as part of the Design Review process. She said that Staff has discussed internally how this might work. She said she believes it is the nature of the product (wanting to be Single Family) that is driving the density. She said they don't have a lot of options, besides meeting the 8 DU/Acre.

Comment: Joshua Oehler said he would imagine they have a lot of options because they are currently RU-43 right now. He said they are asking for a General Plan Amendment to go to this type of density. He pointed out that there is a wide range in between the two densities. He said they would be going from one of the least dense zoning categories (coming in from the County) to one of their most dense zoning categories. He said he thinks the product looks good and he likes the idea. He appreciates the cottage feel and hopes they can make that work, but that is only interior facing to each other. He said you wouldn't feel the cottage feel on the street side, but only in the alleyways. He said that given the fact that this is for a General Plan Amendment, he feels that they should also look at this and consider other options, other than just what has been presented. He wanted to make sure they had looked at the whole site in an effort to make this work. He said maybe they could include a pocket park in the middle to break up this kind of tight box design. He said they appear very linear and very stacked and a little hard on the density.

Question: David Cavenee asked if they had received any feedback from adjacent property owners.

Answer: Ashlee MacDonald said that they have held a neighborhood meeting, but no one attended the meeting.

Comment: Carl Bloomfield said that this is a unique site that has been left behind. He said that given the area where it is located, he thinks this is a unique product for a unique site. He said he believes it is a good fit. He said what they are seeing tonight, from a Design Review standpoint, isn't the best, but he pointed out that they are not here for Design Review, but rather for a General Plan Amendment and for a Rezoning. With that in mind, he said he is in favor of it.

Comment/Question: Brian Johns said that the driveways are a little bit wider than what they normally see in designs they have seen in the past. He said it appears to be a double drive. He asked if it was 25' to 30' between buildings.

Answer: Ashlee MacDonald said she would have to verify the distance between the buildings.

Comment: Brian Johns said he just wanted to point out that there appeared to be more space between the buildings than what they usually see. He said he would agree with Commissioner Bloomfield that this is a unique site and they need to consider that when looking at it.

Question: David Cavenee asked Planner MacDonald to bring up a Site Plan that showed the cul-de-sac. He asked about the streets that went between the units. He said he thought he saw what appeared to be a sidewalk, as well as a second sidewalk down the middle.

Answer: Ashlee MacDonald said she would have to reach out to the developer to clarify.

Question: Vice Chair Andersen asked Planner MacDonald if this would be a rental product.

Answer: Ashlee MacDonald answered affirmatively.

Comment: Vice Chair Andersen said he could understand the request to go from a Single Family product to a Multi Family product if it was a rental product. He said for a rental product it isn't ideal to have to plat each building. He said that would be an expensive and unnecessary task. He said he is in support of the project and he would also support the deviation requests.

Comment: Chair Sippel said that he thought the project feels very tight. He said they would get to that during Design Review, but he said that Carl Bloomfield made a good point when he reminded them that this request was for a General Plan Amendment and Rezoning. He said he feels comfortable with the direction the project is heading and is certain that the design team will hear the input from the Commission.

4. DR17-1196, STORAGE AT CITY GATE MARKETPLACE: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, BUILDING ELEVATIONS, COLORS AND MATERIALS, AND LIGHTING ON APPROXIMATELY 1.9 ACRES, FOR A 102,275 SQUARE FOOT INDOOR STORAGE FACILITY, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HIGLEY ROAD AND BASELINE ROAD, AND ZONED REGIONAL COMMERCIAL (RC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY

Keith Newman began his presentation on DR17-1196, Storage at City Gate Marketplace. He indicated that the request was for a 102,000 square foot building on 1.9 acres of land, located within City Gate Marketplace. The project is a 3-story indoor storage facility with 551 climate-controlled units ranging in size from 25 square feet to 400 square feet. He stated that all storage would be housed indoors. He said the site is located within the 61 acre PAD of City Gate Marketplace. He said the facility would be located just south of the Holiday Inn Express that is currently being built and north of the Savanna House congregate care facility and west of the Cameron Ranch single family neighborhood. He shared the Site Plan and the points of access. He pointed out the location of 10 customer parking stalls on the north side of the building. He said that larger vehicles and emergency access vehicles would be able to turn around towards the back of the site. Regarding the vehicle turnaround, he noted the location of a vehicle

hammerhead with dashed lines. He indicated that there was a 25' fire lane in the back of the building so that in the event of a fire or an emergency, a fire truck could reach the back half of the building. He said this was required by the Fire Department for fire safety purposes. He said this would also be the location, per the Code, where they would have roof access for a ladder truck. He said in order to get a truck out of the fire lane, they would be using a DG surface that is compacted and the hammerhead will also have compacted DG. He noted the location of the green strip on the Landscape Plan to the east of the fire line. He said in that area, the fire lane is encroaching into the required 40' landscape setback along the east property line. He said it is a requirement that they keep the fire lane about 15' away from the building, so this is the only place it could be located that would reach the back half of the building. He said that Staff was agreeable to it encroaching, as long as the applicant still provided some sort of landscape material. He said the green strip was artificial grass. He said that Staff felt that met the intent because it was still some sort of landscape material. He said it only encroaches to between 6' and 8'. He also noted that in order for the fire truck to back out or pull in and then back into the fire lane, they had to encroach into the landscape setback in the northeast corner even more. He said they had allowed the applicant to continue the grass strip and also allowed them to have compacted DG in the part that is the hammerhead. He said that they had many discussions with the applicant and had tried many different scenarios, but this was the solution that Staff and the applicant had come up with. He said this solution does meet Fire Code and even though they are encroaching into the landscape setback, they are still meeting all shrub and plant material and tree quantities required by Code. Project deviations are listed below:

Project Data Table

Site Development Regulations	Required per LDC	Proposed
Maximum Building Height	55'	46'
Minimum Building Setbacks		
- Front	25'	25'
- Side to Street	20'	n/a
- Side to non-residential	20'	20'
- Rear to non-residential	20'	75'
Minimum Required Perimeter Landscape Area		
- Front	25'	25'
- Side to Street	20'	n/a
- Side to non-residential	20'	20'
- Rear to non-residential	20'	40'
Landscape (% of net lot area)	15%	39%

Planner Newman said that Staff believes there will still be an adequate buffer in the landscape setback area to buffer this project from the neighbors in Cameron Ranch to the east. He then shared the Landscape Plan. He said they have Code required landscaping all the way around on all boundaries, especially along San Benito Drive. He shared the building elevations, noting that

the building at its highest point is approximately 46'. He shared that they have a building step back within 100' of the eastern property line. He said the building is approximately 34' tall in the step back area. He said that the building itself complements the architectural style and design of some of the retail buildings that have already been approved for the City Gate Marketplace. Planner Newman finished his presentation and requested input from the Commission.

Question: Brian Johns asked to see the elevations. He said he didn't have any issues with the elevations because they had used various materials, including some metal paneling. He said he would prefer to see a little bit more of the metal paneling and currently it was only in the western corner. He said he had a question about the electrical room. He said he didn't believe that the current design met Town Code. He asked why they didn't use double doors.

Answer: Keith Newman said he wasn't sure what was going on with that door. He said there was some electrical equipment there, but he said he could get more information about the door.

Comment: Brian Johns stated that he would like Staff to look into the door.

Response: Keith Newman said Staff could look into the door to see if the applicant could come up with something that would look more visually appealing from the roadway.

Comment/Question: Brian Johns said he desired that it would look more visually appealing from the roadway. He said other than that, he felt the applicant had done a good job of bringing in a lot of elements and they had brought a human scale to the awnings. Regarding the landscape, he said he appreciates that Staff has worked with the applicant to find a creative solution, but he asked for clarification that Planner Newman had said the applicant met the landscape requirements in terms of quantity.

Answer: Keith Newman said that the applicant had met all of the quantity requirements.

Comment: Brian Johns said that he didn't see the purpose of adding the green strip of artificial grass in the back of the property. He said he didn't believe anyone would ever see it. He said in his mind, there isn't any difference between DG and grass, unless there is a grass requirement that he is unaware of. He suggested that they just put DG along there and not waste the money and maintenance expense of the artificial turf.

Response: Keith Newman said that Staff had discussed that possibility, but they felt that they still wanted some type of landscape material to be in that setback area.

Comment: Brian Johns said that DG was a landscape material in his mind.

Response: Keith Newman said Commissioner Johns was correct.

Comment: Brian Johns said that they are meeting their landscape requirements and it seems like they are meeting them very well, noting that they were using three different plant materials in the back. He said it seems that the artificial turf would be a maintenance issue and no one would appreciate it, due to its location in the back. He said he would like to hear what the other

Commissioners have to say about it, but he said he didn't believe the addition of artificial turf made sense. He said overall, he feels it is a very good project.

Comment/Question: David Cavenee said he realized that this isn't a zoning case or a Use Permit case, but he said this feels like the wrong thing for City Gate. He said he is struggling with a storage facility right next to a hotel and having a 40' building backing up to the neighbors. He said he realizes that is not the point of tonight's discussion. He said he agrees with Commissioner Johns regarding the artificial turf. He said it is such a departure from the natural landscape that they have achieved everywhere else. He said if Staff felt the need for more than DG, they could do some desert marigolds or some other low level plant that could be run over if necessary, and the cost to replace would be minimal. He said a fire truck needing to run over them was not something that would happen on a regular basis. He said he thought it would be an additional maintenance issue and considering the location of the strip, it wouldn't be visible too often by people passing by. He asked about the gravel path that was going north and south behind the building. He asked if there was any concern with customers going back there and trying to pull a truck or trailer down in there. He asked if it would be blocked off and only available as a fire gate. He asked what the thinking was regarding shielding that from common use.

Answer: Keith Newman said the area would not be blocked off, but there would be a Fire Lane sign at the entrance as a deterrent. He said they hoped that would deter people from driving back there. He said it would be a rolled type curb, so if someone wanted to drive back there, he supposed they could do so, but he said that Staff hoped the sign would satisfy that and stop people from driving back there. He said the Fire Department didn't want that area to be blocked off in case of an emergency.

Question: David Cavenee asked if there would be a concrete curb with some kind of grade level barrier curb that would taper down to that point, so they can ingress through there or if it would be a typical curb and gutter that they would have to jump.

Answer: Keith Newman said he believed it would be a rolled curb.

Question: David Cavenee asked to clarify that it would be asphalt to rolled curb to DG.

Answer: Keith Newman answered affirmatively.

Comment: David Cavenee said he thought they had done a great job for a storage facility. He said the variety of materials was pleasing and he thought the architecture was a little modern, which he thought would fit well with what had been approved for City Gate. He said the height might be a little concerning for the neighbors, but since this use is allowed by right, it is allowed by right.

Comment: Greg Froehlich said that the building elevations look good and match the other buildings that will be developed in the future. He said the site was well landscaped. He said he especially likes that there is a lot of landscaping on the east side next to the neighborhood. He

said the trees that are being recommended in that area (Desert Museum Palo Verdes) bloom a lot and drop a lot of flowers. He said since there is only a 6' block wall separating the trees from the neighborhood, he thought it would be a maintenance issue for the neighbors and suggested they consider using a different tree.

Comment: Joshua Oehler said he had some of the same concerns with the use as Commissioner had mentioned, but he said he realizes this is Design Review and they are not looking at the use. He said although the height of the building is allowed, it just seems a little out of place for what they are trying to drive into the area. He said he also doesn't think the artificial turf is needed. He said he would rather go to some kind of ground cover that is more natural. He said he believes the size of the building is driving the mass. He said the back part of the building has been lowered to meet the height restriction next to the residential and they are pushing it closer and closer to residential where they have to have this turning radius. He said the idea of the turning radius is to be able to get around the site and have fire access. He said they are kind of jamming this large, massive building into this area and that is being driven by the size of the building, not because they need a turning radius. He said all buildings of this nature would need a fire turning radius. He said they are taking this large, massive building and forcing it in and creating this issue with the turning radius, not going the other direction. He said he appreciates the idea behind the artificial grass and that Staff is thinking outside the box, but he said in a few years, it would start fading and would become a maintenance issue. He said his viewpoint would be to create more of a natural DG, stay out of the landscape setback and create a smaller building, but overall he believes they have done well. He said he also has some concerns with the number of trees they are placing in the design and if the higher quantity of trees will survive.

5. DR18-02 ELEVATIONS AT SAN TAN VILLAGE: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, BUILDING ELEVATIONS, COLORS AND MATERIALS, AND LIGHTING FOR APPROXIMATELY 9.97 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SANTAN VILLAGE PARKWAY AND BOSTON STREET, AND ZONED REGIONAL COMMERCIAL WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

Amy Temes began her presentation on DR18-02, Elevations at San Tan Village. She said this discussion was concerning Parcel F and had been discussed last month as part of a Rezoning packet. She said this was for the elevations for Phase 1 of the project. She shared that the site is located within the 202 Growth Corridor Area and the vertical overlay. She said this allows for 6-story, 90' by right. She said if there was anywhere in the Town that this particular density is appropriate, it would be within this geographic part of Gilbert, where they have the most intensive, large and planned area to be intensive with growth. She said this has always been planned this way under the General Plan and they are being consistent with the General Plan. She shared the Overall Site plan, which also represented the commercial component. She said it would be coming in for a commercial subdivision plat for the remaining portion of the property.

She noted the location of the Multi Family on the south corner of the site. She said that Staff has worked with the applicant to ensure that there is excellent connectivity from the Multi Family into the commercial components. They have also worked with the applicant on streetscape and meeting the architectural character of the area. She said there are multiple pedestrian connections into the surrounding commercial area. She said the buildings were 4-story in height and approximately 55' with availability for accent features and some screening to go above that. Planner Temes said that the amenity package was in the middle of the site and is gated. She said that Staff has worked with the applicant to minimize the amount of fencing around the property in terms of walls. She said there is no fencing in the area where there is an existing 20' multi-use easement. She noted the location of a solid wall along the rear to screen the commercial back of house to the south. She also noted the location of a mesh decorative fence along the eastern property line.

Planner Temes shared an exhibit that showed how the circulation connects within the site. She pointed out the pedestrian portals occurring at certain locations, noting that they have decorative landscape, pavement, seating, and specialty lighting which will serve to accent the entrances as you come into the building. She shared the location of the gates for the Multi Family development. She said that Boston Street will be continued on through in Phase 1 of the development and there will be a signal created by the developer at Market Street and Boston Street. She also said that a future signal by the Town of Gilbert would be located at San Tan Village Parkway and Boston Street. She shared the Landscape Plan. She shared the entry feature with mesh gates. She noted there was a lot of bicycle parking, as well as a lot of amenities throughout the project. She said there is a 2-story amenity center near the main entrance. She shared the Wall Plan. She said that Staff worked with the applicant to create a vibrant streetscape, noting that the buildings are set back 20', pointing out that this is consistent with what the Flats at San Tan did across the street. She said that the garages are staggered, so that there is plenty of movement with the garage doors internally. She said the elevations may look familiar because the Commission had seen a similar design by the same builder last month when they were proposed for City Gate. She said that Staff had provided feedback that the limestone used on the buildings is different than the stacked Coronado stone that a lot of the San Tan Village Marketplace is done with. She said that Staff had spoken with the applicant and they would be using the stacked Coronado stone on the signage. She said they also have made recommendations that the red accent on the buildings should be more of the weathered brown that is fairly consistent with a lot of the signage and other accent features throughout the San Tan Village Marketplace. She shared the garage doors, noting that some of the doors have windows in them and they are a staggered design to add internal interest. She said the applicant is meeting their parking requirements. She finished her presentation and asked for feedback from the Commission.

Question: David Cavenee asked for clarification, pointing out that at last month's meeting, the Commission voted to recommend denial to the Town Council for this project. He said he didn't

believe that Town Council had approved the project, so he wondered why they were reviewing DR at this point.

Answer: Chair Sippel said he would defer to the Town Attorney to answer the question.

Answer: Nancy Davidson said that the case is appropriate to hear (despite the fact that a decision hasn't been made) because it is being seen for Study Session purposes and the purpose of Study is to provide information.

Question: David Cavenee asked if this was being shown with the assumption that it will be approved by Town Council.

Answer: Amy Temes said that Town Council would hear the case the following night. She said they assume approval until approval doesn't happen.

Comment: David Cavenee said his major concern is with the 55' building height. He said they are now being asked to review a DR plan with a building height of 55'.

Response: Chair Sippel said that at this point, they would just be providing comments because this is just Study Session. He said they can take last month's comments and forward them on to this project as well and add any additional comments regarding Design Review.

Question: David Cavenee asked to clarify that they are pursuing this as a mixed-use project.

Answer: Amy Temes said that the Crossroads/San Tan Village Market Place PAD calls this C-2 Multi-Use and is mixed-use by right.

Question: David Cavenee further sought to clarify that they are presenting it as a fully integrated mixed-use.

Answer: Amy Temes said that Staff has been using the guidelines that were applied for Regional Commercial and they have been working with the applicant to make sure that the Guidelines are being met, even though it is outside of the Crossroads PAD parameters, they have still been looking at those and using them.

Comment: David Cavenee said that as he has thought more about this development over the past month, he agrees that given the location of the Flats at San Tan and the density of the commercial adjacent, this is probably a good place to put in some Multi Family. He said he isn't necessarily opposed to that, but he said he is anxious to have the height issues resolved before he proceeds much further. He said he is also concerned with the mixed-use integration, noting that he has been concerned with integration in these types of projects for some time. He said he has heard Planner Temes comments that the applicant has tried to open up the design and put some pedestrian paths to the Commercial areas, but in his mind, he doesn't believe that it reaches the bar. He said integration to him means that it is truly integrated in uses, function, and form. He said he realizes his concerns will be overridden. He further stated that he is not opposed to the Multi Family as openly as he was last month.

Comment/Question: Brian Johns said that he likes the way they have used the different building materials, especially on the street frontage. He mentioned a sidewalk along the street frontage. He said he was looking to see if that sidewalk needed pedestrian scale or didn't need pedestrian scale. He said it looks like there is a lot of landscape buffering and patios, so he thought it probably meets the requirements in terms of pedestrian scale. He said it was probably more important that they meet vehicular scale. He said that was his only comment on the elevations. He thought the applicant had done a good job breaking up the rooflines and using color blocking on the corners. He said he was intrigued by the rooftop area and wondered how often it would be used. He asked if that area was only in one place.

Answer: Amy Temes said it was her understanding that the rooftop area was above the amenity building. She said she didn't know how often it would be used and would have to ask the applicant for further information.

Question: Brian Johns asked to clarify that it would be more in the center of the complex.

Answer: Amy Temes answered affirmatively.

Comment/Question: Brian Johns said he was picturing them having all of these parties on the outside and passing cars being able to see the parties. He said he has seen this in larger cities. He said the other intriguing aspect of the design was the bike repair and dog wash. He said he realizes that those aren't a design review component, but he is curious about them. He asked if the aim was to try and entice bike riding in the area.

Answer: Amy Temes said it would entice bike riding in the area and that would be ideal, given the number of activities that can be reached within a short distance.

Question: Brian Johns asked if it was an actual repair shop with a retail aspect inside of it, or if it was just a place for people to repair their own bikes.

Answer: Amy Temes said she would try and clarify that information for the Commission.

Question: Greg Froehlich asked about the sidewalks. He said it looks like they have several pedestrian connections through the parking lot area, as well as some pedestrian nodes. He said it looks like the applicant has done a good job on the pedestrian nodes, but he said he sees two connections that look like they will tie in to a future sidewalk on the east side of the property. He said one of them is located in the southeast portion. He said that one looks like it does connect into the sidewalk. He pointed out another one in the northeast corner, where it says pedestrian connection. He asked if that one would eventually connect into the sidewalk. He said the way it is currently being shown, it would not.

Answer: Amy Temes said there would be sidewalks throughout the commercial and she would make sure that it connects in the future, as they move forward with each of these PAD developments.

Question: Vice Chair Andersen asked Planner Temes to provide the Entry Gate Plan. He asked how the Entry Gate Plan was meeting the Land Development Code in terms of fire access. He

said that he believes the LDC requirement for Multi Family is a 55' turning radius or it would defer back to International Fire Code. He said right now, it doesn't appear to meet either of the requirements.

Answer: Amy Temes said it was her understanding that they would either access the Knox-Box and go all the way around or they could do the hammerhead, back-up turn with maneuverability with a fire fighter getting out and directing the truck.

Comment: Vice Chair Andersen said that right now, it doesn't meet the hammerhead requirements because to meet the hammerhead requirements, you need about 60' from the location to the gate and it doesn't look like it is meeting that requirement.

Response: Amy Temes said she is pretty sure it does meet the requirement, but she said she would check with their fire reviewer (who has already approved this) to make sure it does.

Comment: Brian Johns told Vice Chair Andersen that on one of the plans, it showed the turning radius for the fire.

Response: Vice Chair Andersen said it has the radiuses, but it doesn't show the hammerhead. He said if a fire truck was trying to get through the gate on the west side, they would have to back up down the drive and loop around and do an 8-point turn to get out of there. He said he was certain that it wasn't currently meeting the Fire Code for a hammerhead.

Response: Amy Temes again stated that she would discuss this with their fire reviewer, but she stated that she has handled two other projects in the Town with the exact layout in the front entry.

Chair Sippel announced that they would not have time to hear Agenda Items 6, 7 and 8 at this time, because it was time to begin the Regular Meeting of the Planning Commission. He said they would hear those two items after the Regular Meeting.

9. Discussion of Regular Meeting Agenda

Chair Sippel announced that they would take a six-minute break before beginning the Regular Meeting. He asked the Commission to consider the possibility of moving Item 17, 18 and 20 from the Public Hearing (Non-Consent) Agenda to the Public Hearing (Consent) Agenda.

Chair Sippel recessed the Study Session at 6:11 p.m.

Chair Sippel reconvened the Study Session at 7:44 p.m.

6. DR18-34, RETAIL CENTER AT SANTAN VILLAGE: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, BUILDING ELEVATIONS, COLORS AND MATERIALS, FLOOR PLANS AND LIGHTING FOR APPROXIMATELY 2.57 ACRES, GENERALLY LOCATED NORTH OF THE NORTHWEST CORNER OF SANTAN VILLAGE PARKWAY AND MARKET

STREET, AND ZONED REGIONAL COMMERCIAL (RC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

Planner Stephanie Bubenheim began her presentation on DR18-34, Retail Center at San Tan Village. She said this was a design review case. She shared the location of the site which was north of the northwest corner of Santan Village Parkway and Market Street. She said the site was 2.57 acres in size and was irregular in shape. She said the site is zoned Shopping Center (SC) with a PAD overlay. She said the PAD overlay was the Gilbert Crossroads PAD. She shared the surrounding uses. She said the proposal is to develop the site into two PAD sites. Pad A is a 3,300 square foot limited service drive-thru restaurant with a 750 square foot patio. Pad B is for an 8,540 square foot single office tenant with an automotive service shop. She said that the site has two existing entrances, both of which are along Santan Village Parkway. She said the main entrance would be to the north and the secondary entrance is a shared access with the Jackson Car Wash to the south. She said the applicant has exceeded their parking requirements. She shared the Landscape Plan. She said the landscaping provided was consistent with the San Tan Village streetscape and also includes some date palms at the entrances and signage. She shared the elevations, noting that the color palette being used was consistent with the approved palette for the San Tan Village Marketplace. She said the architectural features were pulled from nearby buildings such as the stonework and metal awnings for Pad A. She said that Pad B uses more of the green accent and the stone work to break up the massing of the building. She indicated that the total maximum was 29'2" which is well under the required maximum height of 55' for the zoning district. She shared a Colors and Materials Board. She indicated that the applicant was meeting Code in terms of lighting. She indicated the location of the grading and drainage. She finished her presentation and asked for input from the Commission.

Question: Joshua Oehler asked to see the Site Plan. He asked if they would be exiting out of the garage onto the cross access property.

Answer: Stephanie Bubenheim said that was correct. She said there were service bay doors along the side.

Comment/Question: Joshua Oehler asked if they knew the user yet or if it was just planned to be some kind of oil change shop or mechanic shop. He said this was the only entrance into the gas station. He said he is pleased to see something developing here because it is an awkward little piece of property, but he could see the potential for congestion due to the cross access. He said he doesn't know what could be done about it because it is squeezed in there pretty tight. He said the only thing might be to back up the building a little further back, but he realizes they may not be anything they could do on the site. He also asked if they were using the ADA accessible route from the entrance to get to Pad B. He said he didn't see a striped access. He said it appears that they would be going through drive-thru queuing and he had some concerns about that if that was the ADA accessible route to Pad B.

Answer: In answer to Commissioner Oehler's first question, Stephanie Bubenheim said she would check with the applicant to see if this was going to be an exit only as part of the service

bay. She said she didn't know if that was an entrance area. She said that the ADA accessible route would be going through the drive-thru two times. She said that because of the irregularity of the site, that was the best route they could come up with. She said they made sure that the buildings were pushed as far away from the Multi Family as possible. She said they have also added an additional sidewalk.

Question: Joshua Oehler asked if they knew where the speaker box would be located.

Answer: Stephanie Bubenheim pointed out the location of the ordering area.

Question: Joshua Oehler asked to confirm that the speaker box was facing the street.

Answer: Stephanie Bubenheim answered affirmatively.

Question: Joshua Oehler said that in terms of massing, the back of the building seems to be a white box. He said they didn't break up anything on the back portion of the building. He suggested they try and do something, but he acknowledged that the back portion was kind of hidden by the driveway. He said it seems like in every other area, the applicant did well in terms of breaking up the mass, but in the back they didn't put in the same effort.

Answer: Stephanie Bubenheim asked for clarification that he was referring to the south elevation. Response: Joshua Oehler said he was referring to the south elevation.

Answer: Stephanie Bubenheim said she would provide that comment to the applicant.

Comment/Question: David Cavenee said he was concerned with where the queuing was going to happen for the garage. He said he shares Commissioner Oehler's concerns. He said he believes if they enter from the west, there would be at least one car depth because of the curbing that would limit the queuing up where people would park. He said he understands everything else and believes they have done a good job of laying everything out on a tough site. He said in terms of materials, he likes what they have done. He asked what material was being used on the awning. Answered: Stephanie Bubenheim shared that she believed the awning would be a corrugated metal, but stated that she hadn't received any specific information about it.

Comment: David Cavenee said he imagines that it is a metal due to the positioning, but he would appreciate finding out that information. He said they have varied the roofs quite a bit and added quite a bit of ornamentation and fenestration, so he didn't have any other recommendations.

Comment: Greg Froehlich asked to see the Site Plan. He said his only concern was with the drive-thru. He said when they go to exit and make a right turn out of the area, he believes it is a pretty tight radius. He said he thought most cars could make it, but a larger SUV might have trouble. He would be curious if that has been considered. He said he thought most of the elevations look good, but he agreed with Commissioner Oehler about the south elevation. He thought they could improve that elevation. He said he also didn't think the east elevation was terribly exciting, but he realizes that is the drive-thru side. He said he likes the north and the

west elevations better with the windows and awnings. He said they might consider doing something more for the east elevation because that is the side adjacent to a main road.

Comment/Question: Brian Johns said he was also looking at the drive-thru. He said it appears that they have the 12' but he said it was important that they have the appropriate turning radius to come out of the drive-thru. He asked about the bays of the overhead doors. He said that those would be right on the shared access and would be open most of the time. He said he believes they are meeting their setback standards, but he said there would be access back there on the north side of the bays, so he said there would be cars running right next to those open bays, so he expressed concern about a possible safety issue. He said he thought it would be good to look at any ways they might reduce that exposure. Regarding pedestrian access, he thought it was a long way around. He said he realizes that this is a tough site and they have done a good job under the circumstances. He agrees that the south elevation could use a little something, but he would leave that up to the architect to look at. He said at first glance, it looks a little spindly. He again expressed his concern with the overhead doors and the fact that they would be open during normal operating hours. He said that overall, they have done a pretty good job, considering he didn't even realize there was an available site in the tiny triangle.

Comment: Joshua Oehler said he also agrees with the idea of breaking up the elevation a little bit over the doors. He said because the doors are going to be open, it will just be a large mass on that back end. Regarding the ADA accessible route, he said there was a patio on Pad A and there would be a pinch point there. He said all of the cars would overhang another 2 ½ feet. He said this would not create an accessible route if they make this a real patio. He said they should watch the last parking spot to ensure they had an accessible route.

7. DR18-29, MERCY MEDICAL COMMONS II: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, BUILDING ELEVATIONS, COLORS AND MATERIALS, AND LIGHTING FOR A 68,916 SQUARE FOOT MEDICAL OFFICE BUILDING ON APPROXIMATELY 5.9 ACRES, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF MERCY ROAD AND ROME STREET, AND ZONED GENERAL OFFICE (GO) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

At this time, Greg Froehlich declared a Conflict of Interest.

Keith Newman began his presentation on DR18-29, Mercy Medical Commons II. He shared the location of the project which is just south of the Mercy Gilbert Hospital. He said that Staff has provided 1st Review Comments to the applicant. He said that Staff is supportive of the project overall, but they are still working with the applicant on a few concerns relating to the Master Site Plan, the internal setbacks, overall connectivity and secondary access to Phase I, which is the Ironwood Cancer Center. He said they are also working on a concurrent application, which is an Administrative Use Permit for parking. He shared that the site is zoned General Office (GO) and

is approximately 5.9 acres in size. He said this site was originally part of an original Master Plan that was approved for the Ironwood Cancer Center. He said at that time, this site was considered Phase II of that original Master Plan. He shared the Site Plan. He said the applicant is proposing a 3-story medical office complex with different levels of medical users. He said the site is currently two lots. He noted the location of the dividing line between the two lots. He said that it is anticipated that the two lots will be combined into one large lot. He shared the entrance points to the site. He said there is a shared access that would be shared with the property to the west off of Mercy and this will line up with one of the Mercy Gilbert Hospital entrances to the north. He stated that there is an existing access on Rome Street that is currently the only access to the Ironwood Cancer Center. He said there is a third access location located at the very south portion of the south parking lot, just north of the Val Vista skilled nursing facility.

Planner Newman pointed out the patient drop-off area in conjunction with the main entrance. He indicated the parking areas to the west and south of the building. He also noted that just to the south of the building, is an employee amenity area with some shade canopies and tables for employees to go during breaks. He said that Staff has requested that when the applicant provides the future version of the Site Plan, that they show the Ironwood Cancer Center in a little more detail and show the existing improvements that the Ironwood Cancer Center has constructed to see how it fits and will flow with this project. He shared the Landscape Plan and indicated that all landscape requirements have been met. He shared some Perspectives of the 3-story medical office building. He said he doesn't believe there is another 3-story medical office building in the area and he pointed out that this is a very attractive building. He said they have used a lot of different types of materials including stucco, aluminum, and tube steel. He said they have included a lot of windows and metal canopies. He shared that the colors will complement other buildings in the area. He also pointed out the unique curvature and design of the footprint of the building. He pointed out the existence of a build-to line. He said they aren't able to build beyond that line because the Ironwood Cancer Center required visibility from Mercy Road. He said this was the driving reason behind the building being 3-stories in height, but it has made for a unique and attractive building. He said that currently the building is about 55' or 56' tall. He said that exceeds the allowable height slightly, so they will probably have to reduce that height in certain areas to comply with Code requirements. He shared the elevations. He finished his presentation and asked for input from the Commission.

Comment: Carl Bloomfield thanked Keith Newman for his presentation and said he agreed with him that the building looks like it will be a great fit and an addition to the Town that they can all be proud of. He said as he looks at the layout and the Site Plan, he is concerned with the distance from the parking lot. He said it is over a football field long. He said that is a long distance for them to expect people coming to a medical office to be able to walk. He said he understands the reasoning due to the existence of the build-to line, but he would highly recommend that they put some sort of a shaded parkway/walkway through that parking lot to alleviate problems for the patients. He said it is a long way to go in the Arizona heat.

Response: Keith Newman said he would discuss the suggestion with the applicant.

Comment: Brian Johns said there currently is no connection. He said if someone were in a wheelchair, they would have to walk all the way around if the parking lot is full. He agrees that they need some type of path to get from one side of the parking lot to the building. He said even a tree-lined path would be better. Regarding the elevations, he asked about the height of the building. He said he believes they have done a really good job with the building. He said that it appears that it is the screening that is above the 55' requirement. He said he didn't know if there was anything in the Code that would allow the screening to extend beyond the height requirement. He said that what was going above the required height wasn't livable space. He thought having to bring down the height would deter from what they are trying to do. He said he thought it would be a shame to try and flatten this building because it is such a unique design.

Response: Keith Newman said he appreciates the comments made. He said the building height that is allowed within the zoning district is 55' or 3-stories. He said they are just a little over that requirement and he said he can verify where the measurement must be made to. He said if it does exceed the requirement, they can work with the applicant on reducing the parapet wall.

Comment: Brian Johns said it is showing at 56.5' and he would hate to see it reduced because they have a lot of nice movement.

Question: Vice Chair Andersen asked if there were some covered parking spaces in the southern parking lot. He asked if those were assigned spaces.

Answer: Keith Newman said that there were some covered parking spaces.

Question: Vice Chair Andersen asked if they were assigned parking spaces or if it was a free-for-all for whoever got to them first.

Answer: Keith Newman said he believes they are for doctors, medical staff and employees.

Question: Vice Chair Andersen asked to clarify that it was assigned parking.

Answer: Keith Newman said he wasn't certain if they were assigned.

Comment: Vice Chair Andersen said that if it wasn't assigned, it would be difficult to keep somebody that was visiting the building from using the spaces, if it wasn't assigned.

Response: Keith Newman said he didn't know the answer as to whether they were assigned or not.

Comment: Vice Chair Andersen said that if they weren't assigned, he wondered why they wouldn't be introducing covered spaces in the northern parking lot. He said if they aren't assigned and it is just first come, first served, he would also like them to introduce some covered parking in the northern parking lot as well.

Response: Keith Newman said he would address this with the applicant.

Question: David Cavenee said he was unable to determine from the Landscape Plan, where the trash enclosures were located for the original Cancer Center and the new building.

Answer: Keith Newman showed the location of the trash enclosure for the proposed building, as well as the location of the trash enclosures for the existing Ironwood Cancer Center.

Comment/Question: Joshua Oehler said he agreed with the idea of trying to get a walkable route to provide connectivity through the parking lot. He also asked if they were integrating the trash enclosure into the site wall, because otherwise it would be visible from the street side.

Answer: Keith Newman said the trash enclosure would have a screen wall around it that would match the colors and materials of the other site walls on the site. He said the wall would be 6' tall and also would be screened with landscaping in front of it.

Comment: Joshua Oehler said he just wanted some attention paid to it, because they normally don't like it on the street side. He said he realizes it is kind of tucked in a corner, but he wants to make sure that it has some appeal to it from the street side.

Response: Keith Newman said he would try his best to make sure that Commissioner Oehler's concern is addressed.

Question: Brian Johns asked to clarify that the trash enclosure would have doors.

Answer: Keith Newman answered affirmatively that the trash enclosure would have doors.

Question: Brian Johns asked if there would be screening around the delivery trucks. He asked if there would be screening in the area where the semis would be pulling in.

Answer: Keith Newman said that he believes there will be some type of screening wall there, but he doesn't remember exactly. He said there is significant landscaping in addition to that.

Comment: Brian Johns said that additional landscaping has not been an acceptable solution in the problem in the past.

Response: Keith Newman said he does believe there is a wall, but if there isn't, he will address that with the applicant to make sure there is some type of wall to screen the view.

At this time, Chair Sippel invited Town Attorney Nancy Davidson to begin her presentation on Open Meeting Law.

Attorney Nancy Davidson made a presentation to provide training for the Commission on Open Meeting Law.

ADJOURN STUDY SESSION

With no other business before the Commission, Chair Sippel adjourned the Study Session at 8:45 p.m.

Kristofer Sippel, Chairman

ATTEST:

Debbie Frazey, Recording Secretary

DRAFT

**TOWN OF GILBERT
 PLANNING COMMISSION REGULAR MEETING
 COUNCIL CHAMBERS
 50 E. CIVIC CENTER DRIVE
 GILBERT, AZ
 MAY 2, 2018**

COMMISSION PRESENT: Chairman Kristofer Sippel
 Vice Chairman Brian Andersen
 Commissioner Carl Bloomfield
 Commissioner David Cavenee
 Commissioner Greg Froehlich
 Commissioner Brian Johns
 Commissioner Joshua Oehler

COMMISSION ABSENT: Alternate Commissioner Seth Banda
 Alternate Commissioner Daniel Cifuentes

STAFF PRESENT: Stephanie Bubenheim, Planner II
 Ashlee MacDonald, Senior Planner
 Keith Newman, Planner II
 Josh Rogers, Planner II
 Amy Temes, Senior Planner
 Nathan Williams, Senior Planner
 Principal Planner Catherine Lorbeer
 Planning Manager Linda Edwards

ALSO PRESENT: Attorney Nancy Davidson
 Council Liaison Brigitte Peterson
 Recorder Debbie Frazey

PLANNER	CASE	PAGE	VOTE
Amy Temes	DR18-14	9	Approved
Amy Temes	DR18-15	9	Approved
Stephanie Bubenheim	UP17-1047	9	Approved
Keith Newman	DR17-1186	9	Approved
Nathan Williams	S17-1012	9	Approved

Town of Gilbert Planning Commission
 Regular Meeting May 2, 2018

Amy Temes	GP18-01	17	Approved
Amy Temes	Z18-02	17	Approved
Ashlee MacDonald	DR17-1137	24	Approved
Ashlee MacDonald	Z17-1014	9	Approved

CALL TO ORDER REGULAR MEETING

Chair Kristofer Sippel called the May 2, 2018 Regular Meeting of the Planning Commission to order at 6:18 p.m.

ROLL CALL

Recording Secretary Debbie Frazey called roll and a quorum was determined to be present.

10. APPROVAL OF AGENDA

Chair Sippel called for approval of the agenda. Vice Chair Brian Andersen stated that it had been recommended that they move Item 20, Z17-1014, Nationwide Realty Investors to the Public Hearing (Consent) Agenda. With that change, Vice Chair Andersen made a **MOTION** to recommended approval of the agenda; seconded by David Cavenee; motion passed unanimously.

Motion passed 7-0

11. COMMUNICATION FROM CITIZENS.

At this time, members of the public may comment on matters within the jurisdiction of the Town, but not on the agenda. The Commission/Board response is limited to responding to criticism, asking staff to review a matter commented upon, or asking that a matter be put on a future agenda.

Chair Sippel asked if there were any members of the public who wished to speak on something that was not on the agenda. Seeing no members of the public who wished to speak, he moved on to the next item on the agenda.

PUBLIC HEARING (CONSENT)

All items listed below are considered consent calendar items and may be approved by a single motion unless removed at the request of the Commission/Board for further discussion/action. Other items on the agenda may be added to the consent calendar and approved under a single motion.

Chair Sippel read the Public Hearing (Consent) Agenda as follows (see below for Staff Recommendations): Item 12, DR18-14, Mercy Gilbert MOB #2; Item 13, DR18-15, Crossings at Cooley Station; Item 14, UP17-1047, Cottage Wedding Venue; Item 15, DR17-1186,

Bellazona Wellness Center; Item 16, S17-1012, Chandler Heights and Val Vista (Hamstra Dairy); Item 20, Z17-1014, Nationwide Realty Investors.

12. DR18-14, MERCY GILBERT MOB 2: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 6.21 ACRES, GENERALLY LOCATED NORTHWEST OF MERCY ROAD AND BONANZA COURT AND ZONED PUBLIC FACILITY/INSTITUTIONAL (PF/I) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STAFF RECOMMENDATION

Approve the Findings of Fact and approve DR18-14, Mercy Gilbert MOB 2: site plan, landscape, grading and drainage, elevations, floor plans, lighting, colors and materials for approximately 6.21 acres, generally located northwest of Mercy Road and Bonanza Court and zoned Public Facility/Institutional (PF/I) with a Planned Area Development (PAD) overlay, subject to conditions:

1. Construction of the project shall conform to the exhibits approved by the Planning Commission at the May 2, 2018 public hearing.
2. The construction site plan documents shall incorporate the Standard Commercial and Industrial Site Plan Notes adopted by the Design Review Board on March 11, 2004.
3. Signage is not included in this approval. Administrative Design Review approval is required prior to submitting for sign permits.
4. Prior to submittal of Construction Drawings, the applicant shall provide to Planning Staff a modification to the Mechanical equipment screening on the roof to address a relationship to the building massing, design or materials.
5. Eight Desert Willow trees, planted in a stagger pattern, shall be added to the northwest to southeast pedestrian walkway (see Page L-101 and L-108)
6. Trash enclosures shall be CMU with a stucco finish and painted Sherwin William 7004 Snowbound with Sherwin William 7643 Pussywillow accents.

13. DR18-15, THE CROSSINGS AT COOLEY STATION: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 24.78 ACRES, GENERALLY LOCATED AT THE NORTHEAST CORNER OF WADE DRIVE AND WILLIAMS FIELD ROAD AND ZONED MULTI-FAMILY / MEDIUM (MF/M) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

Town of Gilbert Planning Commission
Regular Meeting May 2, 2018

STAFF RECOMMENDATION

Approve the Findings of Fact and approve DR18-15, The Crossing at Cooley Station: site plan, landscape, grading and drainage, elevations, floor plans, lighting, colors and materials for approximately 24.78 acres, generally located at the northeast corner of Wade and Williams Field Road and zoned Multi-Family / Medium (MF/M) with a Planned Area Development (PAD) overlay, subject to conditions:

1. Construction of the project shall conform to the exhibits approved by the Planning Commission at the May 2, 2018 public hearing.
2. The construction site plan documents shall incorporate the Standard Commercial and Industrial Site Plan Notes adopted by the Design Review Board on March 11, 2004.
3. Monument signage has been included in this approval and will require a sign permit prior to construction. Administrative Design Review approval is required prior to submitting for sign permits for any signs other than addressing or freestanding monument signs.
4. Prior to Certificate of Occupancy, the applicant shall provide to the Town Engineer an in lieu payment for the one quarter share of the cost of a future traffic signal at Wade and Williams Field Road.
5. Right and left garage parapet to wrap 360 degrees.
6. Eight foot minimum under carport height required.

14. UP17-1047, THE COTTAGE WEDDING VENUE: A REQUEST TO APPROVE A CONDITIONAL USE PERMIT FOR APPROX. 0.60 ACRES OF REAL PROPERTY LOCATED AT 535 SOUTH GILBERT ROAD TO ALLOW A BANQUET FACILITY IN THE NEIGHBORHOOD COMMERCIAL (NC) ZONING DISTRICT.

STAFF RECOMMENDATION

Make the Findings of Fact and approve UP17-1047: The Cottage Wedding Venue; a Conditional Use Permit to allow a Banquet Facility, for approximately 0.60 acres of real property located at 535 South Gilbert Road in the Neighborhood Commercial (NC) zoning district, subject to conditions.;

1. The Project shall be in substantial conformance with the site plan shown on the Exhibits provided under Attachment No. 4.
2. The applicant shall submit a revised site plan that designates where live music/DJ will be located, ensuring the music will face away from residential neighbors during events.

3. The banquet facility shall have a parking agreement with another venue for the additional 48 parking spaces off site if required for an event with the maximum occupancy of 120.

15. DR17-1186, BELLAZONA WELLNESS CENTER: SITE PLAN, LANDSCAPING, GRADING AND DRAINAGE, BUILDING ELEVATIONS, COLORS AND MATERIALS, AND LIGHTING FOR APPROXIMATELY 2.61 ACRES, FOR AN 87 UNIT CONGREGATE CARE FACILITY, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF GILBERT ROAD AND HACKAMORE AVENUE AND ZONED GENERAL COMMERCIAL (GC).

STAFF RECOMMENDATION

Approve the Findings of Fact and approve DR17-1186, Bellazona Wellness Center: Site plan, landscaping, grading and drainage, building elevations, colors and materials, and lighting for approximately 2.61 acres, for an 87 unit congregate care facility, generally located at the southwest corner of Gilbert Road and Hackamore Avenue and zoned General Commercial (GC), subject to conditions:

1. Construction of the project shall conform to the exhibits approved by the Planning Commission/ Design Review Board at the March 7, 2018 public hearing.
2. Monument signage has been included in this approval and will require a sign permit prior to construction.

16. S17-1012: CHANDLER HEIGHTS AND VAL VISTA (HAMSTRA DAIRY) - REQUEST FOR PRELIMINARY PLAT AND OPEN SPACE PLAN FOR CHANDLER HEIGHTS AND VAL VISTA BY MARACAY HOMES FOR APPROXIMATELY 160.46 ACRES OF REAL PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF VAL VISTA DRIVE AND CHANDLER HEIGHTS ROAD FOR 125 LOTS OF SINGLE FAMILY 7 (SF-7), 79 LOTS OF SINGLE FAMILY 8 (SF-8) AND 128 LOTS OF SINGLE FAMILY 10 (SF-10) ZONING DISTRICTS WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STAFF RECOMMENDATION

Move to Approve the Findings of Fact and S17-1012, Chandler Heights and Val Vista (Hamstra Dairy) - Request for Preliminary Plat and Open Space Plan for Chandler Heights and Val Vista by Maracay Homes for approximately 160.46 acres of real property generally located at the northwest corner of Val Vista Drive and Chandler Heights Road for 125 lots of Single Family 7 (SF-7), 79 lots of Single Family 8 (SF-8) and 128 lots of Single Family 10 (SF-10) zoning districts with a Planned Area Development (PAD) overlay, subject to the following conditions:

1. The Final Plat and Open Space Plans for Chandler Heights and Val Vista (Hamstra Dairy) and construction of the project shall be in substantial conformance with Exhibit 3

Town of Gilbert Planning Commission
Regular Meeting May 2, 2018

Preliminary Plat, Exhibit 4 Open Space and Amenities Plan and Exhibit 5 Phasing Plan, approved by the Planning Commission/ Design Review Board at the May 2, 2018 public hearing.

2. Approval of S17-1012 shall be contingent upon approval of Z17-1022 by the Town Council at the May 3, 2018 public hearing.

20. Z17-1014, NATIONWIDE REALTY INVESTORS: REQUEST TO REZONE APPROXIMATELY 50.86 ACRES OF REAL PROPERTY, GENERALLY LOCATED SOUTH OF LEXINGTON STREET BETWEEN 140TH STREET AND LINDSAY ROAD FROM MARICOPA COUNTY RURAL – 43 (RU-43) ZONING DISTRICT AND AN UNDESIGNATED ZONING DISTRICT TO TOWN OF GILBERT BUSINESS PARK (BP) ZONING DISTRICT AND TO INCLUDE THE SUBJECT PROPERTY INTO THE EXISTING RIVULON PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STAFF RECOMMENDATION

For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z17-1014 rezoning approximately 50.86 acres of real property generally located south of Lexington Street between 140th street and Lindsay Road from Maricopa County Rural – 43 (RU-43) zoning district and an undesignated zoning district to Town of Gilbert Business Park (BP) zoning district and to include the subject property into the existing Rivulon Planned Area Development (PAD) overlay, subject to the following conditions”

- a. Dedication to Gilbert for Pecos Road east of Allen Street and Lindsay Road rights-of-way that are adjacent to the property and are owned by Nationwide Realty Investors, Ltd. Or NRI-Rivulon, LLC (collectively “NRI”) shall be provided with each subsequent phase of development or as required by the town engineer and in compliance with the Rivulon development agreement, as amended. Failure to complete dedication of lands owned by NRI prior to issuance of a building permit for any phase of the project adjacent to right-of-way may result in reversion of the zoning to the prior zoning classification. Dedication of all other portions of Pecos Road and Lindsay Road rights-of-way shall be made in accordance with paragraph 4.3 of the Rivulon development agreement, as amended.
- b. Dedication of Pecos Road half street right-of-way shall extend 7065 feet from the centerline from Allen Street to Lindsay and dedication of Lindsay Road half street right-of-way shall extend 65 feet from the centerline along the northern boundary of the site. Additional roadway dedication may be required at intersections.
- c. Dedication of the remaining portion of Rivulon Blvd. Located from immediately east of the traffic circle and extending to Lindsay Road shall be provided with each

Town of Gilbert Planning Commission
Regular Meeting May 2, 2018

subsequent phase of development or as required by the Town Engineer and in compliance with the Rivulon Development Agreement, as amended.

- d.
 - i. (DELETED).
 - ii. Construction of off-site improvements to Pecos Road adjacent to Blocks B, C or D of the Property as depicted on Exhibit A to the Rivulon Development Agreement shall be completed prior to issuance of a certificate of occupancy or final approval for any building constructed on the respective adjacent Block, subject to the ownership provisions set forth in Section 4.3 of the Rivulon Development Agreement. If development of Block C or D occurs prior to development of Block B, construction of off-site improvements to Pecos Road shall include improvements adjacent to Block B.
 - iii. Construction of off-site improvements to Lindsay Road adjacent to Blocks D, H or M of the Property as depicted on Exhibit A to the Rivulon Development Agreement shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the respective adjacent Block, subject to the ownership provisions set forth in Section 4.3 of the Rivulon Development Agreement. If development of Block H or M occurs prior to development of Block D, construction of off-site improvements to Lindsay Road shall include improvements on Lindsay Road adjacent to Block D.
- e. DELETED.
- f. Prior to the effective date of this ordinance, Developer shall enter into a Development Reimbursement and Lien Agreement agreeing that Developer will reimburse Gilbert for the costs of design and construction of off-site improvements required by this ordinance if Gilbert constructs the improvements as part of its capital improvements program. Failure by Developer to execute a Development Reimbursement and Lien Agreement may result in reversion of the zoning to the prior zoning classification, except any parcel or portion of the property on which construction of improvements has commenced pursuant to duly issued building permits. If Developer constructs the improvements, Gilbert shall release Developer from its obligations under the Development Reimbursement Agreement.
- g. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements when and as specified in the Rivulon Development Agreement and in compliance with Town of Gilbert construction standards.
- h. Developer shall create a Property Owner's Association (POA) for the ownership, maintenance, landscaping, improvements and preservation of all common areas and

open space areas, and landscaping within the rights-of-way, with the inclusion of additional parcels within 30 days of submittal for construction documents for those properties.

- i. The Project shall be developed in conformance with Gilbert’s zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:

Development Standard	Rivulon PAD
<i>Minimum Dimension for Parking Lot Spaces and Drive Aisles:</i>	
Office Uses	18 ft. Deep, 9 ft. Wide and 25 ft. Drive aisle width
<i>Parking Lot Landscaping:</i>	
Parking Lot Landscape Islands	One (1) parking lot landscape island shall be placed a maximum for each 12 consecutive parking spaces;
Landscape Diamond Planters	One (1) 6 x 6 ft. Landscape diamond planter shall be placed a maximum of 1 for each 6 parking spaces, situated between parking lot landscape islands, EXCEPT WHERE SITUATED BENEATH PROPOSED PARKING CANOPY LOCATIONS.
<i>Landscaping and Berming for Parking lot Screening:</i>	
Parking Lot Screen walls	50% of the length of parking lot CMU screen walls may be substituted by landscaping and/ or berming.
<i>Bicycle Parking:</i>	
Bicycle Parking Standard	1 bicycle space per 100 vehicle parking stalls; to a maximum of 50 bicycle spaces

Chair Sippel informed the public that they would be making two motions on the Public Hearing (Consent) Agenda because Commissioner Greg Froehlich needed to abstain from voting on two items.

Greg Froehlich declared a Conflict of Interest on Item 15, DR17-1186 and Item 16, S17-1012.

Chair Sippel then called for the first motion. Vice Chair Andersen made a **MOTION** to recommend approval to Town Council of Items 12, DR18-14, Mercy Gilbert MOB #2, Item 13, DR18-15, Crossings at Cooley Station and Item 14, UP17-1047, Cottage Wedding Venue; and Item 20, Z17-1014, Nationwide Realty Investors, subject to Staff recommendations; seconded by Greg Froehlich; motion passed unanimously.

Motion passed 7-0

Chair Sippel then called for the second motion. Vice Chair Andersen made a **MOTION** to recommend approval to Town Council of Items 15, DR17-1186, Bellazona Wellness Center and Item 16, S17-1012, Chandler Heights and Val Vista (Hamstra Dairy), subject to Staff recommendations; seconded by Carl Bloomfield; motion carried.

Motion passed 6-0 with Greg Froehlich abstaining

PUBLIC HEARING (NON-CONSENT)

Non-Consent Public Hearing items will be heard at an individual public hearing and will be acted upon by the Commission/Board by a separate motion. During the Public Hearings, anyone wishing to comment in support of or in opposition to a Public Hearing item may do so. If you wish to comment on a Public Hearing Item, you must fill out a public comment form, indicating the item number on which you wish to be heard. Once the hearing is closed, there will be no further public comment unless requested by a member of the Commission/Board.

17. GP18-01, PECOS ROAD GPA: REQUEST FOR MINOR GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE CLASSIFICATION OF APPROX. 36.60 ACRES OF REAL PROPERTY GENERALLY LOCATED SOUTH OF THE INTERSECTION OF SPECTRUM WAY AND PECOS ROAD FROM BUSINESS PARK (BP) LAND USE CLASSIFICATION TO GENERAL COMMERCIAL (GC) LAND USE CLASSIFICATION.

18. Z18-02, BWZ AUTO HOLDING: REQUEST TO REZONE APPROX. 9.92 ACRES OF REAL PROPERTY GENERALLY LOCATED EAST OF THE SOUTHEAST CORNER OF EAST PECOS ROAD FROM BUSINESS PARK (BP) ZONING DISTRICT TO GENERAL COMMERCIAL (GC) ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

Z17-1028, MACERICH SANTAN VILLAGE MARKETPLACE PHASE V: REQUEST TO AMEND ORDINANCE NOS. 1142 AND 1230 TO AMEND THE CONDITIONS OF DEVELOPMENT WITHIN THE CROSSROADS CENTER PLANNED AREA DEVELOPMENT (PAD) FOR APPROX. 43.72 ACRES OF REAL PROPERTY, KNOWN AS PARCEL F1, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF SANTAN VILLAGE PARKWAY AND WILLIAMS FIELD ROAD AND ZONED REGIONAL COMMERCIAL (RC) WITH A PAD OVERLAY.

STAFF RECOMMENDATION (Addendum changes highlighted in yellow below)

- A. Recommend to the Town Council approval of GP18-01 Pecos Road GPA, to change the land use classification of approximately 36.60 acres of real property, generally located south of the intersection of Spectrum Way and Pecos Road, from Business Park (BP) to General Commercial (GC) land use classification; and

- B. For the following reasons: the development proposal conforms to the intent of the General Plan and can be appropriately coordinated with existing and planned development of the surrounding areas, and all required public notice and meetings have been held, the Planning Commission moves to recommend approval of Z18-02 rezoning approximately 9.92 acres of real property generally located east of the southeast corner of Spectrum Way and Pecos Road from Business Park (BP) zoning district to General Commercial (GC) zoning district with a Planned Area Development (PAD) overlay, subject to the following conditions.
 1. Dedication to Gilbert for Pecos Road right-of-way adjacent to the Property shall be completed prior to the effective date of this ordinance. Failure to complete dedication prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification.
 2. Dedication of Pecos Road shall extend 65' feet from the monument or center line.
 3. Dedication to Gilbert of a roadway easement for a future Collector Road adjacent to the south property line shall be completed prior to or at the time of recordation of the final plat. In addition, right-of-way dedication for the Collector Road shall be completed within 30 days of receiving a future request by the Town Engineer. Dedications for the roadway easement / right-of-way shall extend 33 feet from the south property line.
 4. Construction of off-site improvements to Pecos Road adjacent to the Property shall be completed prior to issuance of a certificate of occupancy or final approval of any building constructed on the Property or at the time requested by Gilbert, whichever is earlier. Off-site improvements to the Collector Road adjacent to the south property line will be completed by Gilbert in the future, and an in-lieu payment will be made by Developer for this Collector Road in accordance with the terms of the Development Reimbursement and Lien Agreement, as described below. If Gilbert constructs the improvements required by this ordinance as part of its capital improvements program prior to development of the Property, Developer shall reimburse Gilbert for its reasonable costs of construction prior to issuance of a certificate of occupancy or final approval of any unit or building constructed on the Property.
 5. Prior to the effective date of this ordinance, Developer shall enter into a Development Reimbursement and Lien Agreement agreeing that Developer will reimburse Gilbert for the costs of design and construction of off-site improvements

Town of Gilbert Planning Commission
Regular Meeting May 2, 2018

required by this ordinance if Gilbert constructs the improvements as part of its capital improvements program. Failure by Developer to execute a Development Reimbursement and Lien Agreement prior to the effective date of this ordinance may result in reversion of the zoning to the prior zoning classification. If Developer constructs the improvements, Gilbert shall release Developer from its obligations under the Development Reimbursement Agreement.

6. At the written request of Gilbert, Developer shall dedicate all necessary easements for the roadway improvements, including easements for drainage and retention and temporary construction easements. Failure to dedicate said easements within thirty (30) days after the date of Gilbert's written request may result in the reversion of the zoning of the Property to the prior zoning classification.
7. Should the Property include any landscaping, open space, private street, utilities or other facilities held in common ownership (collectively "common areas") as described in Article 4.9 of the Land Development Code, Developer shall create a Homeowner's Association (HOA) or Property Owners' Association (POA) at the time of final plat recordation or earlier if required by the Town Engineer for the maintenance and operation of said common areas, and Developer shall record those public easements for pedestrian, bicycle, multi-use or trail system purposes required by the final plat.
8. Developer shall record easements to be owned by the POA for pedestrian, bicycle, multi-use or trail system purposes as determined by the final plat, at the time of final plat recordation, or earlier if required by the Town Engineer. Such easements shall be open to public access and use.
9. Prior to final plat approval, Developer shall pay for its proportional share of water and sewer mains benefitting the Property, as required by the Town Engineer as determined by the Engineering Department.
10. The Project shall be developed in conformance with Gilbert's zoning requirements for the zoning districts and all development shall comply with the Town of Gilbert Land Development Code, except as modified by the following:
 - a. Hours of Operation shall be limited to 7 am to 10 pm seven days a week.
 - b. 8' solid screen wall shall be constructed along the eastern property line between the Property and the existing residential home lots
 - c. Maximum lighting lens heights shall not exceed 14' above grade within 100' of the eastern property line.

Amy Temes began her presentation on Item 17, GP18-01, Pecos Road GPA and Item 18, Z18-02, BWZ Auto Holding. She told the Commission that they had seen this case last month at Study Session. She said it was for a General Plan Amendment for 36.60 acres on Pecos Road

Town of Gilbert Planning Commission
Regular Meeting May 2, 2018

and a Rezoning of 9.92 acres for BWZ Auto Holding. She said the property was located right off of Pecos Road between Lindsay and the Motorplex. She shared an aerial map, noting the location of the automobile storage happening on some of the sites. She said they have been working on those that are Code violations and working with the neighbors also. She said that from a General Plan Amendment viewpoint, she went back and looked historically at the General Plan all the way back to 1986. She said that historically this area has either been industrial, commercial or employment of some sort. She said that the General Plan has consistently followed with that. She showed the growth boundary for the 202 Corridor. She said this site is within the Growth Area and is slated for employment in terms of density. She said part of the properties are within the Vertical Overlay District which is 90', 6 stories by right. She said that someone could go in and build a 6 story building in the lower part of these properties. She said that she will discuss this further in terms of zoning, because the zoning is not maximizing it the way it could be maximized today by right. She stated that from a General Plan standpoint, there is a lot of Regional Commercial (RC), Business Park (BP), Neighborhood Commercial (NC) and other General Commercial (GC) uses within this area. She said this wasn't only due to the Overflight Area from Chandler Airpark, but also due to the intensity and the Corridor with the 202 freeway right there. She said an interchange will be coming at Lindsay Road in the next few years, pointing out that that interchange will change the character of the area and intensify it at a greater level, than it was even planned to be. She also reminded the Commission that they also have a General Plan Update that is coming forward. She said that is why they aren't bringing forward a whole comprehensive land use component of this to show at this time. She said that Staff desires to let that process work its way through, but they are aware that change will be coming. She said that the development bubble is hitting Lindsay Road right now, and is creeping toward Val Vista. She said as the creep occurs, Staff sees an uptick in the projects that are occurring along that bubble. She said they are seeing more and more projects in this area.

Planner Temes reminded the Commission that Rivulon is doing quite well to the west and moving toward the east. She also shared the General Plan Circulation Map. She said a study had been done in this area and the study shows that a Collector Road (named Lexington) is planned where it will connect to a signal that will go into Rivulon and continue across and hopefully connect into the back side of the Motorplex loop. She pointed out that Frye turns into Spectrum Way and it will continue into this project to give an accessibility to all of the properties within this area. She said that is one of the things they have studied. Currently, a lot of the properties have not been able to develop because there is no way in or out. She said this Circulation Plan will help them move toward that. She noted that the addendum the Commission had received, related to circulation in the area. She said that from the General Plan standpoint, they would like to go from Business Park to General Commercial. She said that Staff is not opposed to this because they believe that the area is going to be changing and General Commercial (GC) is consistent with the uses within the Motorplex. She said a question had come up at Study Session about the vacant land at the Motorplex, but she said that the vacant land is all spoken for and nothing is currently available within the Motorplex. She said there is a lot of construction going on in and around the Motorplex right now. She shared the official General Plan maps which state the General Plan categories that surround the site. She said they had held a neighborhood meeting and some residents from Spectrum did attend. She said the residents are aware of what

is being done and they discussed the impact of commercial development across the street from them.

Planner Temes then discussed the zoning case. She stated that the zoning request is for 9.92 acres directly adjacent to the existing residences. She said that Staff has been working with the neighbors and they are discussing the possibility of putting in an 8' separation wall. She said this would provide some separation now and during construction. She said some of the properties have not been annexed into the Town yet, so it is currently zoned Maricopa County RU-43. She said as the properties come into the Town of Gilbert, they will be rezoned to be consistent with the General Plan which is Business Park at this point in time. She pointed out that in discussions with the neighbors at the neighborhood meeting, lens height and lighting from the commercial center was a concern. She said that as per LDC, within 100' of residential properties, lens height is 14'. She said this is zoned Business Park, not Residential, but the applicant agreed at the neighborhood meeting, that they would lower the lights in those areas, so that light didn't bother the neighbors. She said they have also agreed to do the 8' solid wall, though they are not obligated to do because it is Business Park zoning, but they have agreed to do that as well to help screen the neighbors and to have some separation. She said they also agreed to limit their hours of operation for the property from 7:00 a.m. to 10:00 p.m. She indicated that this also is not required by the LDC. She also discussed some potential Collector streets in response to some land use planning. She said that Staff would firm this up as they move forward with the General Plan Update. Planner Temes shared with the Commission that an addendum had been added. She also said that the Town Engineer had stated that in the interim before the Collector roads all exist and start to connect, they would go ahead and do an easement down on the south part where the Collector roads go and in the future, the dedication will occur and a payment will be made so that the financing for the road construction will occur at that time. She said there would be no point in building asphalt that goes nowhere, so this change was addressed in the addendum. She finished her presentation and offered to answer any questions.

Chair Sippel thanked Planner Temes and invited the applicant to come forward and make a presentation to the Commission.

Ralph Pew, introduced himself and stated that he was in attendance on behalf of BWZ LLC which is the owner of the property that is requesting rezoning. He said that is a partnership comprised of Henry Brown and his partners in connection with the land acquisition. He said he thought the best way to approach this was to state that he agrees completely with the Staff's analysis of the General Plan and of the Zoning recommendations made tonight. He said that Staff has done a wonderful job of explaining the need to change from Business Park to General Commercial. He said he would like to address some of the question that were raised during the previous Study Session. He said he believes when those questions are answered, it will put in perspective, why the General Plan should be approved and answer some specific issues with respect to the Zoning as well as the commitment they have made to the neighbors. He shared the elevations and the Site Plan that the Commission would see in the future when the case comes in for Design Review approval. He shared an aerial of the acreage they are addressing in the General Plan Amendment. He said there is approximately 36 acres, comprised of five different

owners. He said one of the first questions that had been raised in Study Session, was why were they doing this for two parcels of land. He said the reality is, they are doing it in this way, because they have gone out and gathered five owners, so that they could get just less than 40 acres to do a Minor General Plan Amendment. Otherwise, he said it would require a Major General Plan Amendment and they wouldn't be able to hear the case until the end of the year or even next year. He said they have worked hard with the adjoining owners. He pointed out a particular parcel that was a flag lot that goes all the way up to Pecos. He said that BWZ LLC now owns that property, so they will be back quickly with a General Plan Amendment to update that piece to round out this acreage and make it a nice square, developable parcel. He said this could not be included in this application months ago, because they had not received cooperation from the institutional trust that owned the property. Due to this, they purchased the property and will be bringing that property back before the Commission in the future. He said he hoped this answered the question as to why it seemed like they were doing this piecemeal. He said they were actually not doing it piecemeal. He said the project is close to 40 acres and other parcels would be coming in the future. He said that there is approximately 140 acres of land south of Pecos, east of the canal, and west of the Motorplex. He said that taking into account the residents that live immediately next to the Motorplex, there are about 140 acres remaining. He said that there are 35 different owners in that acreage. He said to expect one property owner to go and get 35 other property owners to agree on filing an application would be almost impossible. He said they had a hard enough time getting five owners to agree and to sign the application. He said they are having conversations with other property owners in the area to do the same thing and come in and amend the General Plan from Business Park to General Commercial so that they can move forward with potential development in the General Commercial category. He said that Planner Temes had indicated the difficulty in developing this area as Business Park. He said this is ideally suited to either expand uses for the Motorplex or to have other General Commercial uses that are much better suited than a campus-like environment of high-tech businesses together. He said that is very difficult to execute without freeway frontage and the exposure that it would take along Pecos Road.

Ralph Pew brought up another question from Study Session about the reason why BWZ didn't just lease some land within the Motorplex to park their cars. He said that was a fair question, but he said they aren't interested in just parking cars on the 9.92 acres they are rezoning. He said that they will actually be using the parcel for a new used car dealership that will display vehicles, recondition vehicles, and detail vehicles. These services will all take place within the structures he had shown the Commission on the Site Plan and Elevations. He said they would not just be parking cars, but instead would be running a new used car business at this location. He pointed out two parcels that had not developed within the Motorplex. He said those are the only parcels that are left and those parcels are not suited or designed for parking and for the uses Henry Brown and his partners have in mind. Mr. Pew said he also wanted to address a concern raised about the neighboring residents. He said that the residents live on 147th Place. He said that all the land west of those neighbors has always been zoned in the General Plan for non-residential purposes. He said that these homes were built in the mid-1980's and middle to late 1990's. He said that generally speaking, the Spectrum project and the San Tan Motorplex came after the majority of those homes were built. He said at that time, the Council and the residents knew and

understood that the San Tan Motorplex would be east of them and everything west of them was non-residential. He said that they have reached out and committed to those neighbors to build the new used car dealership in a way that is sensitive to the neighbors. They have committed that none of their car wash areas will have blow-dry air compressors. Secondly, he said all the detailing and reconditioning that will occur in the buildings (which will be phased) will be enclosed and air conditioned. He said that all work on the vehicles will occur there. He also indicated that it would all be light repair and they would not be doing auto body work, but rather reconditioning and detailing of vehicles. He said they have also committed to the neighbors to the east to build an engineered 8' block wall. Additionally, he said they had agreed that the lighting will be 14' tall if it's within 100 feet of the property owners to the east. The hours of operation will be 7:00 a.m. to 10:00 p.m. and no loudspeakers will be located on the site. He said they also met with and talked to the owner to the west of them, who may or may not want auto uses, and they have committed to an 8' block wall on that side as well. He finished his presentation by saying that he urged the Commission to provide a positive recommendation for this General Plan Amendment and Rezoning. He said this would be a great business addition to Gilbert.

Chair Sippel informed the audience that this was a Public Hearing. He asked if any member of the public wished to speak, they should fill out a yellow comment card and turn it in at the Staff table. He then asked if there was any member of the public that wished to speak on Item 17, GP18-01 and Item 18, Z18-02. Seeing none, he invited questions or comments from the Commission.

Question: David Cavenee asked if what they were seeing was the combination of the five parcels.

Answer: Ralph Pew said that what they are seeing is the 10 acre site.

Question: David Cavenee sought to clarify that this was just the long portion that was just adjacent to the residential.

Answer: Ralph Pew said that it was just the parcel for the new used car dealership.

Question: David Cavenee asked if he had a concept for the other parcels in terms of development.

Answer: Ralph Pew said that each of those property owners is still considering what they desire to do in terms of development. He said the General Commercial zoning gives those owners much greater flexibility.

Question: David Cavenee asked to clarify that they had been brought together just to get this zoning to General Commercial.

Answer: Ralph Pew answered affirmatively that they came together to get the General Plan on roughly 36 acres and the rezoning on the 9.92 acres.

Comment: David Cavenee told Mr. Pew that he appreciated his addressing all of the previous questions. He said he thought he had covered all of his questions.

Question: Joshua Oehler asked about the flag lot. He said he wasn't in attendance at last month's meeting, but it sounded like some of the Commissioner's had some of the same concerns that he had. He asked if they planned to bring back the flag lot in the future, would they be able to come under a Minor General Plan Amendment with that small amount of acreage.
Answer: Ralph Pew said they have not met with Staff yet on that because the acquisition just occurred, but he said he was relatively confident that it would be a Minor General Plan Amendment to include it in this land.

Question: Joshua Oehler said he wondered if it would be a standalone case in the future.
Answer: Ralph Pew said that at this point, the 3.5 acre flag lot could either be done alone or they are having discussions with a 30 acre parcel south of this area that includes three different owners. He said if that evolves, they could put this other piece with that and then they would have a nice square, plus another 30 acres below it.

Comment/Question: Joshua Oehler said in terms of the design side of things, with the new Minor Collector or Collector street they will have, he noticed that in the Site Plan, they had turning radiuses that were going out to there. He asked how they planned to do the frontage, since that will be a street. He said the Site Plan seems to back up to that street.
Answer: Ralph Pew said he is correct, because at this time, they aren't sure when that will happen. If it happens before they expand to some of the buildings further south, they will design the southern end to face the street. He said they plan to redesign when the time comes.

Seeing no further questions for the applicant, Chair Sippel thanked the applicant and asked if there were any questions for Planner Temes.

Question: Carl Bloomfield said that when the hospital developed, there was 160 acres south of it that the Town took control of, because at that time, everyone was scrambling to apply for a different zoning. He said at that time, the Town took over and did a Comprehensive General Plan Amendment there and took care of it. He asked if something like that would make sense in this area or if there hadn't been enough inquiries to justify going through that process.
Answer: Amy Temes said it isn't a matter of lack of interest, but is more of a matter of timing. She said he was referring to the area at Germann and Val Vista PAD. She said they had learned a lot of lessons from that and some of those lessons they would not want to repeat. She said that is why they started with a Circulation Study. She said with them moving into a General Plan Update, they know they have this interest, so they thought it was a good idea to go through the General Plan process and consider the bigger picture.

Question: Chair Sippel asked if Planner Temes would be the Staff person that would be responsible for the Pecos to Lindsay 160+ acre portion.
Answer: Amy Temes said that it had not been assigned yet.

Comment: Chair Sippel said that the reason he asked is that she had done such a phenomenal job with San Tan Village, so he thought this new piece would also require lots of dedication and hard

work. He said he realizes that the process takes a lot of long hours and hard work to forward think all of the nuances of the properties. He said he wanted to give her a shout-out of appreciation for all of her work.

Chair Sippel closed the public hearing and brought the discussion back to the dais.

Comment: David Cavenee said that initially he was still a little concerned about the condition of the adjacent neighbors, but he said it seemed that all of those issues had been answered and he can support this.

Chair Sippel called for a motion on Item 17, GP18-01. David Cavenee made a **MOTION** to recommend approval to Town Council of Item 17, GP18-01, Pecos Road GPA, subject to Staff Recommendations and with the proposed addendum given to the Commission; seconded by Carl Bloomfield; motion passed unanimously.

Motion passed 7-0

Chair Sippel called for a motion on Item 18, Z18-02, BWZ Auto Holding. David Cavenee made a **MOTION** to recommend approval to the Town Council for Z18-02, BWZ Auto Holding, subject to the conditions listed in the Staff Report and according to the addendum provided; seconded by Greg Froehlich; motion passed unanimously.

Motion passed 7-0

19. DR17-1137, GILBERT TOWN CENTER: SITE PLAN, LANDSCAPE, GRADING AND DRAINAGE, ELEVATIONS, FLOOR PLANS, LIGHTING, COLORS AND MATERIALS FOR APPROXIMATELY 14.69 ACRES, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF GILBERT AND WARNER ROADS AND ZONED REGIONAL COMMERCIAL (RC) WITH A PLANNED AREA DEVELOPMENT (PAD) OVERLAY.

STAFF RECOMMENDATION

Approve the Findings of Fact and approve DR17-1137, Gilbert Town Center: site plan, landscape, grading and drainage, elevations, floor plans, lighting, colors and materials for approximately 14.69 acres, generally located at the southeast corner of Gilbert and Warner Roads and zoned Regional Commercial (RC) with a Planned Area Development (PAD) overlay, subject to conditions:

1. Construction of the project shall conform to the exhibits approved by the Planning Commission at the May 2, 2018 public hearing.
2. The construction site plan documents shall incorporate the Standard Commercial and Industrial Site Plan Notes adopted by the Design Review Board on March 11, 2004.

Town of Gilbert Planning Commission
Regular Meeting May 2, 2018

3. Signage is not included in this approval. A Comprehensive Sign Program is required for the project to provide design compatibility for all signs and integrates sign design with the architecture of the buildings. Administrative Design Review approval is required prior to submitting for sign permits.
4. Prior to Certificate of Occupancy the developer shall enter into a development agreement with the Town for contribution of a portion of the costs of the future improvements to the Gilbert and Warner Road intersection.

Ashlee MacDonald began her presentation on Item 19, DR17-1137, Gilbert Town Center. She said that the Commission had seen this case recently as part of the Rezoning request for a PAD amendment to amend the Development Plan. She shared a vicinity map, noting the location of the site at the southeast corner of Gilbert and Warner Roads. She said this is part of a larger PAD for Gilbert Town Center, which includes the Broadstone Apartments that are being constructed along American Heroes Way. She said that the site is currently vacant. She also said that Banner Health Center is bisecting the site. She said that Phase 1 of the Banner project has been built and future phases have been approved, but not yet constructed. Planner MacDonald indicated that the total site is 25.3 acres for Gilbert Town Center. She said the subject site is 14.69 acre portion of the site. She said a Use Permit has been approved to allow the Multi Family in Regional Commercial. She said a large component of that is integrated mixed-use so that will be the primary focus of her discussion this evening. She shared the Site Plan, pointing out that Phase 1 includes three buildings, including all of the landscaping, infrastructure, and driveways. She discussed access points for the project. Regarding integration of this project with the nearby Multi Family, Planner MacDonald said it was important to Staff that they made sure they were looking at the pedestrian connections and focusing their review on whether this was a pedestrian-friendly environment that draws pedestrians so they can safely move through the site. She said that the Banner Health Center separates this project from the Multi Family in which it was intended to connect. She said that Staff believes the applicant has done a phenomenal job of ensuring that pedestrians feel welcomed to the site. She shared the orientation of the buildings: Major A, Major B and Shops C. She said that Staff believes the layout of the site has created a friendly pedestrian environment. Planner MacDonald shared the Landscape Plan. She shared that the corner of Gilbert and Warner has a welcoming pedestrian node, which will serve as a gathering space for residents. She said the applicant has added some seat walls along American Heroes Way and throughout the site, there is a plaza between Major A and Major B. She said this has served to activate the pedestrian experience on the site. She said the applicant has provided ample landscaping on the site at 22%. She said they have included pavers throughout to delineate the pedestrian pathways.

Ashlee MacDonald shared the elevations, noting that the design was very contemporary. She said there are large storefront windows on Shops A and B in an effort once again, to activate that pedestrian experience. She shared some Perspectives. She said that Major A was a 2-story fitness building with a maximum height of 35'. She said it has good movement both vertically and horizontally. She shared the colors and materials, but noted that the renderings didn't do

justice to the actual colors proposed. She said that Staff recommends approval, subject to the conditions. She finished her presentation and offered to answer any questions.

Chair Sippel then invited the applicant forward to make a presentation.

Paul Gilbert introduced himself. He said he was pleased to be in attendance at tonight's meeting. He said he wanted to remind the Commission that the Town Council voted unanimously in favor of this project for the zoning and development last month. He said they are in agreement with all the Design Review stipulations. He said that Staff is in support of the project. He quoted a statement from the March 7 meeting minutes which said "they have worked with the applicant to make sure that this is a pedestrian friendly environment, so that the residents from the Multi Family project feel comfortable walking in the site, walking through the site and moving through the site." He said that pedestrian movement was a key and integral part of what the Commission had asked them to focus on. He said he is pleased to inform the Commission that they have done that. He said he believes that the staff comment vindicates the position they are taking. He said they have no neighborhood opposition. He said their neighborhood meeting was a love fest. He said most people are very happy to see this site finally develop and he said that no one is happier than he is. He said this is not a speculative venture, but is the first real proven developer that has been able and willing to take this project through. He said the developer is for real and owns the property. He said the only way to have a true mixed-use is to approve this retail project this evening. He said this site has been difficult to develop because it is a unique and non-conventional Regional Commercial (RC) site. He said the site is a classic infill parcel. He said this is the fourth developer (and he has represented every developer) that has tried to develop this site. He said the fact that there have been four developers vindicates the challenges of the site. He said they are in agreement with Design Review stipulation number 4 which says "they will enter into a Development Agreement to pay a portion of the infrastructure improvements required along Gilbert Road." He said they are the only parcel at this intersection that is required to do that. He said this is a very high traffic and very busy intersection, but it doesn't work without some additional improvements. He said they are in agreement and will just need to work out the details regarding Stipulation number 4. He said there are three parcels here and they were all part of the Regional Commercial (RC). He said that Banner did the middle part and Banner came in and requested of the Town, that they not have to be a part of the integration. He told the Commission that the Town Council agreed to this. The other two parcels were still required to have integration. He said that the current Planning Commission's predecessors had stated that removing the Banner parcel (the center parcel), made it very difficult and near impossible, to do a thorough integration with the other two parcels. He said that the Town knew this and they still made the decision for Banner not to have to integrate. He said this decision resulted in the need to deal with two end parcels. He said that despite the challenges of making this an integrated parcel and complying with the Regional Commercial, he submits that they have done so. He said his basic premise tonight is that they have done everything they can that is possible to do to integrate this parcel with the Multi Family. He shared the Access Master Plan. He said this plan shows the extensive vehicular and pedestrian access throughout the entire Regional Commercial (RC) zoned development. He said that American Heroes Way had been completed by the Multi Family developer. He said that they were asked when they did the

apartments to go to Banner to see if they could put a connecting trail across the Banner property. At the time, they chose not to provide that. He said this was not a final answer and Banner made it clear that as they develop Phase II in the future, they might well consider doing that. He said with that sole exception, all these connections are a part of the plan being presented. He said it is approximately 300' from the edge of the apartment site over to the retail site. He said they are providing on-site shade and sidewalk connections between all proposed buildings. He said the on-site sidewalks are 9' wide and also have shade coverings. He said there are two concrete seating wall areas that are provided at the southeast corner of the site to draw those from the apartments, so they will have a place to rest or enjoy some leisure. He said this is further illustrated by the streetscape design which will feature the same street theme, trees and plants that match the design character already constructed. He said they are also assisting the Town in installing trees along the Town side of American Heroes Way. He said they are not obligated to do that, but they have negotiated to do that. He said this shows the integration that they are discussing. He said the proposed contemporary style of architecture is thematically consistent with the existing Town Center complex, apartments and Banner. He said they are also providing similar or compatible choices in colors and materials. He mentioned that during the Study Session, his loose interpretation of comments made, was that a Commissioner had said that if he could see some pedestrian integration, he would feel much better about this project. He said they have focused on a major pedestrian enhancement of the intersection. He said they have provided concrete pavers, and/or exposed aggregate concrete will be incorporated, as well as directional way-finding. Mr. Gilbert stated that the buildings on-site have been located to break up the parking field to address a concern brought up in Study Session. This reduces the distance a pedestrian must travel through the parking field. He said the layout is compact and they have configured buildings, parking areas and driveways in a way that lessens dependence on the automobile. Lastly, Mr. Gilbert said they have reduced walls. Mr. Gilbert finished his presentation by pointing out that they had listened to the Commission and believe that they have responded in every way that they can. He said he would be the first to say that this is not a perfect integration, but he believes they have done an integration where they have used every feasible effort to achieve the integration that they can. He said for these reasons, he would hope that the Commission would recommend approval.

Chair Sippel informed the audience that this was a Public Hearing. He asked if any member of the public wished to speak on Item 19, DR17-1137, Gilbert Town Center PAD, they should fill out a yellow comment card and turn it in at the Staff table. Seeing none, he invited questions or comments from the Commission to the applicant.

Comment: Joshua Oehler said he can say that they have come a long way. He said that overall, as a Shopping Center, he believes that they have done an extremely good job. However, as a mixed-use project, he still doesn't believe they have achieved that. He said he sees the connections, and he believes they have done a good job of making the Shopping Center tie to Gilbert and Warner, but for it to be mixed-use, it's is completely putting its back to the Multi Family. He said he agrees that back in the day when the decision was made to allow Banner not to integrate, it led the way to the issue before them today. He said he feels that there is still the possibility of true pedestrian connection, not just using the right-of-way and putting a couple of

concrete blocks down and saying that the connection has been made. He said that in terms of design, he would still try to get more landscape and more covering. He asked about the covered walkway to all nine buildings. He asked if that was just being achieved through landscape. He said he didn't see a covered walkway.

Response: Paul Gilbert said it is landscape. He said they exceed the landscaping requirements.

Comment: Joshua Oehler said he appreciates that. He said his concern is that this is a Regional Commercial and that's where he still has an issue. As a retail, he thinks it is done well. He can see that they have over-landscaped, but regarding connections, he said they still would have an access route from American Heroes Way to Shops A with a tree boulevard, but he said there are still some major gaps that don't have trees. He said he would say it isn't fully covered, but is rather a sidewalk with trees next to it. He said he doesn't believe they will come to an agreement.

Comment/Question: David Cavenee said he noticed on one of the Staff Site Plans, where it showed all three parcels, there appears to be a parcel or at least some open area, between the Banner development and this development. He said on one of the Site Plans it looks completely filled in, but on the one the Staff provided, it looked like there was something undeveloped between them. He asked to clarify that this wasn't the case, but that they were developing right up to the Banner improvements.

Response: Paul Gilbert answered affirmatively. He said that they have provided an access point, but that Banner hasn't accepted it yet.

Question: David Cavenee asked about the trail from the apartment complex. He asked if it entered just north of Shops C or if it entered in the bottom right southeast corner.

Answer: Paul Gilbert said it entered in the southeast corner.

Question: David Cavenee asked to clarify that the trail did not traverse the Banner property, but rather stays up along the back of the street curb.

Answer: Paul Gilbert answered affirmatively.

Question: David Cavenee said they had talked about shading internal to the lot. He asked if they were trying to shade some of the connection to the apartments with trees or anything that would soften exposure to that trail.

Answer: Paul Gilbert said he needed more clarification to answer the question.

Question: David Cavenee asked if the trail to the Multi Family was shaded in any way. He asked if the users would be shaded in any way as they make the journey.

Answer: Paul Gilbert said that the sidewalk was put in by the apartment developers and it is not shaded. He said they would be adding some additional trees on the other side of American Heroes Way on the Town-owned property.

Question: David Cavenee asked him to clarify where the area was that he was referring to regarding the additional trees. He asked if he was saying they would be adding them on the street side of the same area or did he mean across on the south side of the street.

Answer: Paul Gilbert said they were adding them on the south side of the street. He said they were adding them on the Town property.

Question: David Cavenee asked if they were asked to provide the additional trees.

Answer: Paul Gilbert answered affirmatively.

Comment: David Cavenee said that he believes they have done a good job with what they have got. He said he appreciates the explanation about some of the challenges with developing the property. He said he wants the site developed as much as anybody. He said he believes the site is important to the Town Hall area. He is still very disappointed in the original plan to integrate mixed-use and he said the design is very far from that, but he realizes that Mr. Gilbert has tried to do what he can. He said moving forward with the development is more important than hanging on to his bastion of mixed-use definition, but with that said, he hopes this is a great success for him and he believes it will probably go through. He said he just hopes that when they start chalking up projects that are mixed-use, they don't tout this as one of the key ones, because he doesn't believe it really got there.

Response: Paul Gilbert said he would not use this as an example of mixed-use.

At this time, Greg Froehlich declared a Conflict of Interest on Item 19, DR17-1137.

Comment: Joshua Oehler said that in making the connection, he asked if they could focus on adding a few more trees along American Heroes Way so that the apartment connection can be well landscaped. He said he would like to add a few more trees onto that side, so that they could get a shaded walk.

Response: Paul Gilbert asked if he wanted them to take them off the Town's property and put them on the other side.

Response: Joshua Oehler said he wants a full shaded walk and wants trees on both sides.

Comment: Paul Gilbert said he would check with the architect on that request.

Comment: A representative of the applicant said they had conducted a survey of what Broadstone had installed and also what small amount of landscaping was on the Town side. At that point, they tried to match the same density as the Broadstone project had and tried to match the patterns and variety so there would be a continuation of the same overall character all along the north side of American Heroes Way. He said it wasn't a good idea to place too many trees together because then the trees don't reach their maturity. He said they believe that over time, it will be fully shaded.

Response: Joshua Oehler said that was the statement given by Mr. Gilbert that the walkway was completely shaded.

Comment: Paul Gilbert said he was talking about the interior walkway.

Response: Joshua Oehler said he understands that, but he isn't sure it is fully shaded at that point, due to parking spots, but he just wants some connectivity. He said he understands what they are saying about the trees, as he himself has pointed out in a previous case, that jamming too many trees together is not a good idea, but he thinks there is a huge differential in space between the trees that are closest to the sidewalk. He said he realizes he is nitpicking and he doesn't usually get this far into the details of the design, but if they are saying this is the connection, they should at least try and make it more shaded.

Comment: Paul Gilbert said that the best answer he could give is that they will, in good faith, take a look at that. He said he doesn't believe they can commit this evening to how many trees and where they would be located.

Response: Joshua Oehler said he wouldn't expect them to commit tonight. He just would like them to truly take a look at trying to make that a truly shaded connection.

Comment: Brian Johns asked to see the Aerial Map. He said the trees that they are adding are actually in the dirt area. He said on the aerial he was looking at, those trees didn't exist. He said if they were adding trees to the Town property, he said they actually had a pattern to how the trees are laid out. He said he would like them to at least take into consideration the design that the Town has set up.

Response: Paul Gilbert said that they are not planting the trees, but would just be paying for the trees and the Town would be doing the planting.

Chair Sippel asked if there were any other questions for the applicant. Seeing none, he thanked the applicant and told him he hoped the fourth time was the charm. He then asked if there were any questions for Staff. Seeing none, he closed the Public Hearing and brought the discussion back to the dais for comments.

Comment: Carl Bloomfield said that this property has been needing to be developed for a very long time. He said that although it isn't perfect, he agrees with Commissioner Cavenee that even though it has had its challenges and still continues to have its challenges, all of the challenges were not necessarily created by the property. He said that some were created by neighboring PAD conditions. He said the applicant has done a good job of trying to take into account that it is RC and it is intending to be integrated to some extent. He said everyone would agree that this is not a crown jewel for the Town of Gilbert, but he believes it is a satisfactory job and he would recommend they move forward and approve it.

Comment: Joshua Oehler said that he has made all of his statements multiple times. He said ultimately he wants to have on record that this is not a standard that they should be looking forward to in a mixed-use property into the future for RC for the way in which it is integrated. He said the way in which it is designed is not the issue, but in terms of integration and elements for a Multi Family to a shopping or retail, this is not an integrated piece. He wanted to make sure his concerns make it into the record.

Comment: David Cavenee said they haven't talked much about the elevations. He said he believes the comments they had provided last time had been addressed. He said that they had pointed out that they have tried to do similar things to align with the apartments. He said that unfortunately, the apartments aren't tremendously decorative either, so it is difficult to bring over a lot from the apartment design. He said he sees that they have made the effort. He said it will fit fine into the neighborhood and it will contrast adequately with what is on the west side of Gilbert Road pretty well. He said he has no negative comments regarding the elevations.

Chair Sippel then called for a motion for Item 19, DR17-1137, Gilbert Town Center PAD. Carl Bloomfield made a **MOTION** to recommend approval of Item 19, DR17-1137, Gilbert Town Center PAD along with Staff recommendations in the Staff Report; seconded by Brian Johns; motion carried.

Motion carried 6-0 with Greg Froehlich abstaining.

ADMINISTRATIVE ITEMS

Administrative items are for the Commission/Board discussion and action. It is to the discretion of the majority of the Commission/Board regarding public input requests on any Administrative Item. Persons wishing to speak on an Administrative Item should complete a public comment form indicating the Item Number on which they wish to address. The Commission/Board may or may not accept public comment.

21. Planning Commission Minutes – Consider approval of the minutes of the Study Session and Regular Meeting of April 4, 2018.

Chair Sippel asked for a motion to approve the minutes of the April 4, 2018 Planning Commission Study Session and Regular Meeting. A **MOTION** was made by Vice Chair Andersen; seconded by David Cavenee; motion passed.

Motion passed 6-0 (Commissioner Oehler abstained from voting as he wasn't in attendance at the previous month's meeting)

COMMUNICATIONS

22. Report from Chairman and Members of the Commission on current events.

None.

23. Report from Council Liaison on current events.

Council Liaison Brigitte Peterson said that the public schools are cancelling again for tomorrow. She said that the Legislature has not passed the budget yet, but are still working on it. She said that last month she had announced that they were voting on a potential tenant for the university building. She said she is pleased to announce that the tenant was approved by a majority of the

Council. Park University is excited to get started in the space in June. She said they also may have two more tenants coming forward that she hopes to be able to share at next month's meeting. She said that Morgan Stanley announced 250 new jobs in the Town of Gilbert in the Rivulon area. She said they also hope to have some additional announcements coming up with the potential for about 5,000 more jobs. She said that this past Monday, they celebrated with the City of Chandler on the expansion of the San Tan Vista Water Treatment Plant. She said that the capacity of the plant doubled in capacity from 24 million gallons per day to 48 million gallons per day. She said this has been a great partnership with the City of Chandler.

24. Report from Planning Services Manager on current events.

Planning Services Manager Linda Edwards thanked the members of the Planning Commission. She said Gilbert is still growing tremendously. She said they will be taking part in the General Plan Update. She said they are looking at the large vacant parcels in the community. She said they are growing and still have a lot to do. She said that the project they looked at tonight (Hampton Court) made them realize that they are missing a certain density that is desirable in the community for that type of infill parcel. She said they may have to come back and see if there is a zoning district or General Plan category that would encompass more of that urban, townhouse lifestyle.

Council Liaison Brigitte Peterson said that she had forgotten to share one important piece of information. She said that Linda Edwards has submitted to retire and her last day will be July 3, 2018.

Chair Sippel said that Linda Edwards has seen a lot of Town history in 18 years. Council Liaison Peterson said that when she came on the Planning Commission, Linda Edwards was the Chair of the Planning Commission. She said they owe her a lot and she has a great historical perspective on the Town and a wealth of knowledge that will be hard to replace.

ADJOURNMENT

With no further business before the Planning Commission, Chair Sippel adjourned the Regular Meeting at 7:38 p.m.

Kristofer Sippel, Chairman

ATTEST:

Debbie Frazey, Recording Secretary